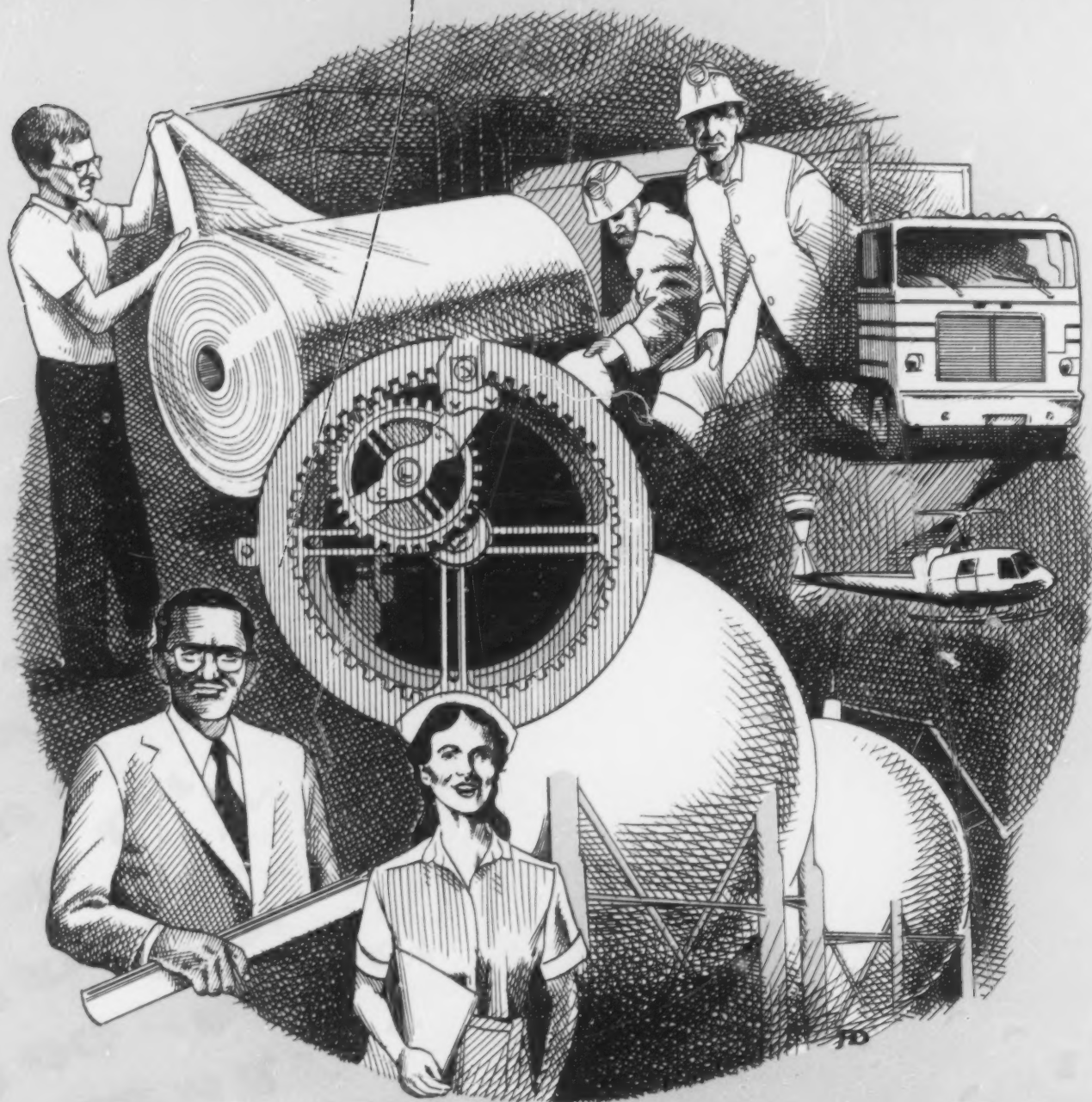


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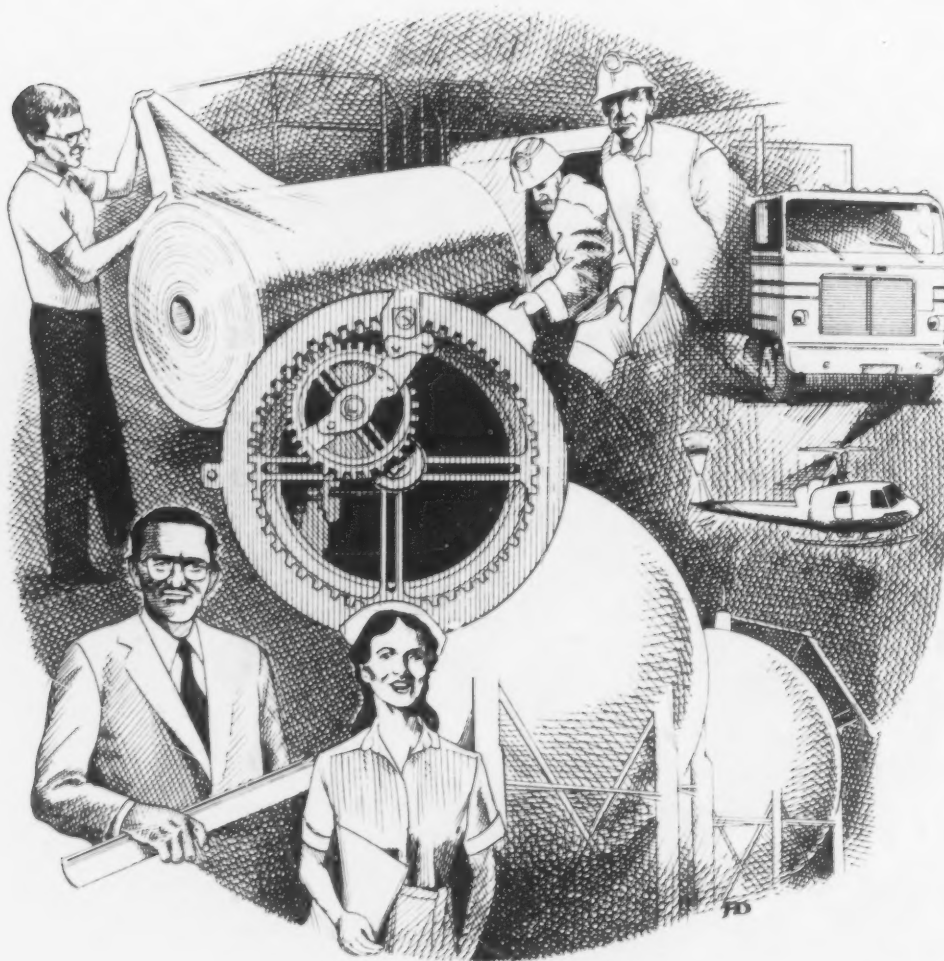
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FOREWORD

The 1983 edition of *Analysis of Workers' Compensation Laws* offers a bird's-eye view of the important provisions of workers' compensation statutes and is intended to provide both a comparison and an improved understanding of the various laws. Fifteen detailed charts are presented to aid employers, employees, insurance firms, agents, brokers, attorneys, physicians, and others in locating specific provisions of workers' compensation laws.

The *Analysis* tracks the statutory provisions of American Samoa and the U.S. Virgin Islands, as well as the laws of the 50 states, the District of Columbia, Guam, and Puerto Rico. Full treatment is also provided for the federal, provincial, and territorial laws of Canada.

Although the *Analysis* provides essential information needed daily in many business offices, it should not be considered as supplanting exact provisions to be found in statutory texts.

The underlying data required to bring together this publication were supplied by legislative reporting services, insurance companies, and government officials in the several states and jurisdictions. Additional assistance came from the Social Security Administration, U.S. Department of Health and Human Services.

The legal research, analysis, and editing of the charts and text was furnished by Eric J. Oxfeld, member of the District of Columbia bar and Employee Benefits Attorney in the Human and Community Resources Department of the Chamber of Commerce of the United States. For further information, you can write to him at 1615 H Street, N.W., Washington, D.C. 20062 or phone (202) 463-5514.

All contributions to this publication are gratefully acknowledged.

Richard L. Leshner
President
Chamber of Commerce
of the United States

INTRODUCTION

HISTORY OF WORKERS' COMPENSATION AND EMPLOYER'S LIABILITY

Workers' compensation laws are designed to provide satisfactory means of handling occupational disabilities. A 20th century development in North America, the laws have evolved as the economy became more industrial and less agricultural.

Before these laws were enacted, a well-established common-law principle held that a master or employer was responsible for injury or death of employees *resulting from a negligent act by him*. Thus disabled workers who sued employers for damages had to prove their injuries were due to employer negligence—a slow, costly, uncertain legal process. As business enterprise and machine production expanded, the number of industrial accidents and personal-injury suits increased. At the close of the 19th century it was apparent that the accepted common-law defenses—contributory negligence, assumption of risk, negligent acts of fellow servants—operated too harshly on claims of disabled workers. The situation led to demands for new legal provisions.

As a result, between 1900 and 1910 so-called employer's liability laws were adopted by many states. Although they tended to modify common-law defenses, they did not prove completely satisfactory: employees still had to prove employer responsibility and negligence. Other legal remedies were urged.

A new answer was forthcoming: In 1911 the first workers' compensation laws were enacted in the United States on an enduring basis. The first comprehensive Canadian laws were enacted in 1915.

Today, each of the 50 states has a workers' compensation law. The compensation laws of American Samoa, Guam, Puerto Rico, and the U.S. Virgin Islands are also outlined in this *Analysis*. Federal workers' compensations laws have been enacted; for example, the District of Columbia Workmen's Compensation Act, the Federal Employees' Compensation Act, and the Longshoremen's and Harbor Workers' Compensation Act—the latter providing for private or public employees in nationwide maritime work. Each of the Canadian provinces and territories has a compensation act or ordinance.

In essence, workers' compensation laws hold that industrial employers should assume costs of occupational disabilities without regard to any fault involved. Resulting economic losses are considered costs of production—chargeable, to the extent possible, as a price factor. The laws serve to relieve employers of liability from common-law suits involving negligence.

Six basic objectives underlie workers' compensation laws. They:

- 1—Provide sure, prompt, and reasonable income and medical benefits to work-accident victims, or income benefits to their dependents, regardless of fault;
- 2—Provide a single remedy and reduce court delays, costs, and work loads arising out of personal-injury litigation;
- 3—Relieve public and private charities of financial drains—incident to uncompensated industrial accidents;
- 4—Eliminate payment of fees to lawyers and witnesses as well as time-consuming trials and appeals;
- 5—Encourage maximum employer interest in safety and rehabilitation through an appropriate experience-rating mechanism; and
- 6—Promote frank study of causes of accidents (rather than concealment of fault)—reducing preventable accidents and human suffering.

To what extent have the laws achieved desired objectives? Answers to this vary from state to state and depend on many factors including the viewpoint of the appraiser.

However, a 1972 evaluation by the National Commission on State Workmen's Compensation Laws concluded that state laws were not living up to their potential, and the Commission made 84 recommendations for the improvement of the system. Nineteen of these were labeled "essential." Despite this negative assessment, the Commission was convinced that workers' com-

pensation is a fundamentally sound system and a valued institution in our industrial economy.

In January, 1976, the policy group of the Inter-Agency Workers' Compensation Task Force, with members from several U.S. government departments and agencies, reported its findings on the need for reform of state workers' compensation programs. Essentially, the Task Force found that existing programs must be reformed to bring about more effective management at the state level, with the federal government monitoring progress and providing technical assistance. The group felt that, without a reordering of priorities and a new mode of operation, workers' compensation would become more expensive, less equitable, and less effective. After completing its mission, the Task Force was merged with the Division of State Workers' Compensation Standards in the Office of Workers' Compensation Programs, Department of Labor.

The constructive criticism rendered by the Commission and the Task Force gave new impetus to the development and growth of workers' compensation laws, and these laws now enjoy a more prominent role within the social insurance system of the United States.

The National Commission and the Task Force both rejected proposals to replace the various state programs with one federal program. Nevertheless, legislation has been introduced in the U.S. Congress for the past several years to give the federal government a direct role in the state systems by setting federally mandated "minimum standards." There has never been sufficient support for these bills to move them beyond the committee level, however.

INTRODUCTION

GENERAL INFORMATION

This analysis of workers' compensation laws attempts to provide a ready reference to the statutory provisions found in the federal, state, and territorial laws of the United States and the federal, provincial, and territorial laws of Canada. American Samoa, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands are included.

In the following pages, 15 charts will be found grouped under three categories:

- **Coverage of Laws**, listing the various requirements pertaining to employments, injuries, and diseases (Part I);
- **Benefits Provided**, detailing the required income replacement benefits and medical benefits (Part II);
- **Administration of Laws**, grouping the many administrative requirements and safeguards (Part III).

COMMENTS ON CHARTS

Complete to December 31, 1982, the charts on the following pages present the statutory provisions of the workers' compensation laws as amended. The effects of many decisions—by courts and administrative agencies—have been taken into account in interpreting these laws.

All provisions presented by the charts in this booklet have required study and interpretation to reduce them to the brief statements found in the charts. In some cases space does not permit sufficient explanation to clarify all points. In such cases it is suggested that the text of the law should be examined.

For an explanation of the abbreviations used in the charts and a note on benefit computations, see page 45.

FEDERAL AND DISTRICT OF COLUMBIA LAWS

Two federal workers' compensation laws are charted. The Federal Employees' Compensation Act (F.E.C.A.) governs compensation of all employees of the United States government. The Longshoremen's and Harbor Workers' Compensation Act provides job disability benefits for all U.S. maritime employment and certain others. Courts have held that the Longshore Act does not apply to maritime employment in Puerto Rico, however.

Entries for the District of Columbia are derived from the District of Columbia Workers' Compensation Act, a D.C. enactment replacing the Longshore Act, effective July 26, 1982. D.C. government employees are covered by a separate D.C. enactment that replaces the F.E.C.A. The law for D.C. government workers is not charted except where it differs materially from the F.E.C.A.

The charts do not cover the federal Black Lung Act, the disability provisions of the Social Security program, the Federal Employer's Liability Act (Jones Act), or veterans' benefits.

CANADIAN LAWS

This booklet includes an analysis of the Canadian federal and provincial workers' compensation acts. Each province and territory administers its own act or ordinance. The federal Merchant Seamen's Compensation Act is charted, also.

Employees of the Canadian federal government are compensated under the Government Employees' Compensation Act, administered by Labour Canada. Compensation is paid by the Canadian government, but the amount is determined by the workers' compensation board for the province where the worker is usually employed. Government employees residing in the Northwest Territories or the Yukon Territory may receive compensation in accordance with the Alberta Act. In view of this arrangement, the charts do not include the Government Employees' Compensation Act except where it differs materially from the provincial acts.

ANNUAL COST

Reporting in *Social Security Bulletin*, the U.S. Department of Health and Human Services estimated that employers spent just over \$22 billion in 1980 to insure or self-insure their work-injury risks.

This was almost \$2 billion, or 8.9 percent, higher than the 1979 cost of workers' compensation. The prior year, the increase in cost was 17 percent. The average cost per \$100 of payroll held steady at \$1.94 for 1980, compared with \$1.95 for 1979.

A substantial part of this growth can be attributed to inflation, but there has been a continued rise in statutory benefit amounts, amounts payable for medical care, and indemnity awards. Medical costs totaled \$3.9 billion in 1980 while compensation payments amounted to \$9.5 billion—about 71 percent of all workers' compensation payments, which totaled \$13.4 billion. Figures for 1981 were not available at the time of publication.

HIGHLIGHTS OF 1982

The United States Congress and legislatures in forty-four states convened in general session in 1982. In all, more than 125 laws were enacted covering almost every aspect of workers' compensation.

Benefits: Indemnity benefit maximums increased in 45 states as well as under the Longshore Act and the F.E.C.A. Forty-one states and the District of Columbia now provide for the automatic adjustment of maximums annually, based upon the state average weekly wage. In 42 states and D.C., the maximum weekly benefit now equals or exceeds 66⅔ percent of the statewide average weekly wage for temporary total disability cases. Of these, 30 pay 100 percent or more.

Seven states raised burial allowances in 1982.

Wage Loss: Early in 1983 Louisiana became the second state to adopt a wage loss system of compensating permanent partial disabilities, effective in July.

Exclusive Remedy: The exclusive remedy rule came under attack in Ohio, whose Supreme Court ruled in *Blankenship v. Cincinnati Milacron* that a trial for damages could go forward on the basis of the employer's alleged "intentional tort." California, on the other hand, passed legislation sharply restricting use of the judicially-created "dual capacity" exception to the exclusive remedy rule.

Occupational Disease: Several states enacted legislation broadening eligibility for compensation of disability resulting from occupational disease. California opened its Asbestos Workers Account to provide benefits for permanent total disability and death, as well as for temporary disability and medical care. Georgia added byssinosis to the list of scheduled diseases, when disability occurs within three years after last exposure. Virginia extended the limit for filing a claim based on byssinosis—within seven years after exposure.

The U.S. Congress took no action following hearings on legislation that would set federal standards for compensating occupational disease. Further interest in the subject is assured following the bankruptcy reorganization of several asbestos companies.

Federal Legislation: The Senate approved comprehensive amendments to the Longshore Act. The Senate Commerce Committee reported a product liability bill that would deny employers the right to recover workers' compensation costs from third parties, deny third parties the right to seek contribution from employers, and reduce judgments against third parties by the workers' compensation award or percentage of damages attributable to employer fault (whichever is greater). There was no House action, however, on either the Longshore or product liability proposal.

NEXT EDITION OF THE ANALYSIS OF WORKERS' COMPENSATION LAWS

Forty-nine state legislatures and Congress convene in 1983. Undoubtedly, there will be numerous changes in many workers' compensation laws. A complete revision of this volume is printed annually. The 1984 edition will be available in March 1984. It will reflect changes made in workers' compensation laws up to January 1, 1984.

PART 1

COVERAGE OF LAWS

A basic and oft-repeated objective of workers' compensation on which there is broad agreement is that coverage under the acts should be virtually, if not completely, universal. For various historical, political, economic, or administrative reasons no state law covers all forms of employment.

Most of the reasons put forth against extension of coverage have lost their force, and by 1980 the proportion of all wage and salary employees covered by job-injury laws reached 88 percent representing 79.1 million workers. Covered payrolls amounted to approximately \$1.136 trillion, or 86 percent of total civilian wage and salary disbursements. Charts I through III delineate the statutory employment coverage requirements.

Another basic objective for workers' compensation is to provide compensation for all work-related injuries and diseases. Note that workers' compensation does not seek to cover all worker health problems. To make this distinction, fairly uniform statutory definitions and tests have been adopted in each state. Typically the statute limits compensation benefits to "personal injury caused by accidents arising out of and in the course of employment."

Although the test is fairly uniform, its interpretation has not resulted in completely uniform coverage of injuries and diseases. Initially, this problem was remedied by providing coverage for specific occupational diseases. With advances in medical technology and increased exposures to a growing number of substances with a variety of physical stresses, it became impractical to define work-related diseases by specific enumeration. The states have therefore amended their statutes to provide coverage of all occupational diseases. Chart IV portrays the status of the laws on this point.

TYPE OF LAW: CHART I

Compensation laws are compulsory or elective. Under an elective law, the employer may accept or reject the act, but if he rejects it he loses the three common-law defenses—assumption of risk, negligence of fellow employees, and contributory negligence. Practically, this means that all the laws, in effect, are "compulsory." A compulsory law requires each employer within its scope to accept its provisions and provide for benefits specified. Coverage is still elective in only three states: South Carolina, New Jersey, and Texas.

Suits for Damages—Under workers' compensation acts employers generally are exempted from damage suits. Where an employee rejects the act, and sues an employer who has accepted it, the employer usually retains the three common-law defenses. Conditions for rejection of the act often are so severe as to make the privilege virtually inoperative. In a few states, however, courts have created exceptions to the exclusive remedy rule under certain circumstances.

INSURANCE REQUIREMENTS: CHART I

Security for Payment of Benefits—Most jurisdictions require employers to obtain insurance or prove financial ability to carry their own risk.

Chart I notes provisions relating to (1) insurance requirements, (2) penalties for failure to insure, and (3) whether self-insurance or group self-insurance is permitted.

Six states and most provinces require employers to insure in a monopolistic state or provincial fund; in some instances, employers may qualify as self-insurers. Twelve states permit employers to purchase insurance either from a competitive state fund or private insurance company. Five of the six monopolistic state funds were created between 1913 and 1915, when the principles of workers' compensation were still new. In 1980 state funds collected \$3.2 billion in premiums.

The Chamber of Commerce of the United States advocates that employers be permitted to buy private insurance if they so desire

and that employers who can qualify be allowed to be self-insurers. Chamber policy states:

"Insurance is an integral part of private enterprise. Insurance should not be regarded as a function to be carried on by the government, and insurance monopolies carried on by governmentally created entities should not be permitted."

Self-Insurers—Some large corporations prefer to assume liability for workers' compensation and avoid administrative costs associated with insurance policies. Twenty-two states and the Longshore Act authorize group self-insurance for smaller employers who pool their risks and liabilities. Employers spent just over \$2.2 billion in 1980 on self-insurance.

Self-insurance operates best when an employer has a spread of risks so large that he may benefit from the law of large numbers. It is necessary and desirable that the self-insurer establish his own protective services—similar to those insurance companies would furnish for safety engineering and claims adjustment. Also, the self-insurer may have to retain attorneys and doctors to handle problems incident to claims and medical and legal services.

Self-insurance is permitted in 47 states—as shown in Chart I. Chart I also reflects those states that specifically authorize group self-insurance.

Employers may set up a reserve fund for self-insurance to pay compensation and other benefits under the workers' compensation acts of the states. Contrary to the treatment accorded insurance premiums, amounts paid into this reserve fund are not always deductible from gross income as a business expense for income tax purposes. However, amounts paid out—as cash or medical benefits—are deductible. In many cases insurance is purchased because such purchase can dispose of the item of expense and future cost in the current year.

PRIVATE AND PUBLIC EMPLOYMENTS: CHART II

Virtually all industrial employment is covered by workers' compensation. Chart II shows this in detail; also it indicates the extent of coverage for public employment.

Some jurisdictions cover all private employment; others exempt those with less than a stipulated number of employees. Most jurisdictions specifically exclude certain employments. Due to the nature of the work, farm labor, domestic servants, and casual employees usually are exempted. Most jurisdictions permit employees in an exempted class to be brought in voluntarily by the employer or by administrative agency order.

Many jurisdictions provide workers' compensation for all or certain classes of public employees.

Merchant marine and railroad workers in interstate commerce generally are not covered by workers' compensation acts and may seek damages under the Federal Employer's Liability Act.

MINORS: CHART III

Minors are covered by workers' compensation. Some jurisdictions provide double compensation or added penalties—as shown in Chart III. In many states minors also enjoy special legal protections. These are specifically noted for each state.

OCCUPATIONAL DISEASES: CHART IV

Although workers' compensation laws initially had no specific provisions for occupational diseases, now all states recognize responsibility for them. Coverage varies—depending partly on the need and pertinence of occupational disease provisions.

Chart IV outlines occupational disease coverage available in each jurisdiction. Generally, compensation is the same as for disabilities noted in Chart V.

Occupational diseases usually become evident during employment or soon after exposure. However, as with radiation disabilities, the disease may be latent for considerable time. As Chart IV

notes, many states have extended periods in which claims may be filed concerning certain latent, slowly developing occupational diseases.

Some states impose special restrictions regarding occupational loss of hearing or disability resulting from exposure to coal dust, asbestos, silica, or radiation.

Most states do not provide compensation for a disease that is an "ordinary disease of life" or which is not "peculiar to or characteristic of" the employee's occupation.

Two equally important problems in the occupational disease field are determining (1) what diseases should be covered by law and (2) how hazards leading to them may be reduced. By combining medical and engineering techniques much progress has been made. This approach requires determinations of the significance of health hazards involved and the design of controls to keep exposures below safety levels established by medical research.

Working independently or with insurance carriers' safety engineers, employers may eliminate many occupational disease hazards. In the development of many new materials and processes, constant vigilance is required of both engineers and doctors. Their cooperation has contributed outstandingly to solutions of many occupational disease problems.

OTHER CONSIDERATIONS

A. Accident Prevention—The encouragement of safety is another basic objective of workers' compensation. The effort to reduce the frequency and severity of work-related injuries is accomplished in at least two ways.

First, the workers' compensation program provides employers with preventive services, including safety engineering. This role is assumed by casualty insurance carriers, state funds and safety agencies, and employers. A second general role is to provide a monetary incentive to employers to improve their safety records. Here the insurance premium structure is a primary force.

Costs of accident-prevention services are included in workers' compensation insurance premiums. Casualty insurance engineers help in setting up accident-prevention programs of continuing benefit. Benefits are found in lower insurance rates, increased production efficiency, and better use of manpower. Of course, the greatest beneficiaries are those kept from industrial accidents through application of effective loss-prevention engineering methods.

B. National Council on Compensation Insurance—Premium rates for workers' compensation insurance are compiled scientifically. Accident experience throughout American business is collected by an agency recognized by all insurance carriers and state fund administrators in the U.S. This agency—the National Council on Compensation Insurance—operates in most states. It grew out of a 1915 conference which agreed that rate making for compensation insurance could not be handled by each state separately. The states that maintain independent agencies cooperate with the Council in making rates. The Council's manual rates generally are a basis for compensation rates charged by stock and mutual companies.

Member companies of the Council report experience incurred under workers' compensation policies. This experience serves as a basis for workers' compensation rate determinations in accord with a standard nationwide rate-making procedure approved by the National Association of Insurance Commissioners.

The National Council's basic manual is standard with all insurance companies. It sets forth Council rules, procedures, and rates applicable to workers' compensation insurance. Where statutes provide for rate regulation by a state supervising authority, revised compensation rates and supporting data are filed annually with it; often, public hearings are held before rates are revised. The supervising authority must approve the rates carriers charge. All

states now provide for rate regulation by state authority. In Canada rates are in the form of an assessment—established by each provincial compensation board annually by class of risk.

As set forth in the Council's manual, compensation rates are based on payroll. Usually only an estimated premium is collected when the policy is written. After the policy expires, a payroll audit is required. The actual premium is then figured and adjustments made.

C. Injuries Outside the Jurisdiction—Frequently, when a worker's occupation takes him into another jurisdiction, questions arise as to which law determines compensation payable. In effect, most compensation laws are extraterritorial—either by specific provisions or court decision. Answers depend on provisions of the particular laws involved and require consideration of circumstances—such as place and nature of employment, place where contract was made, employee's residence, and employer's place of business.

D. Civil Defense and Other Volunteers—Many states have laws to compensate civil defense and other volunteer workers (such as firemen) injured in line of duty. Attention is called to these laws, but no attempt is made to chart their provisions.

E. Black Lung Act—The Federal Black Lung Act (Title IV of the federal Coal Mine Health and Safety Act of 1969, as amended in 1972, 1978, and 1981) provides benefits for total disability or death caused by respiratory illness attributable to coal mining (black lung disease). The Act is administered by the Division of Coal Mine Workers in the U.S. Department of Labor's Office of Workmen's Compensation Programs and by the Social Security Administration.

Benefits are payable at the minimum for total disability provided by the Federal Employees' Compensation Act, plus an allowance for dependents equal to 50%, 75%, or 100% of the basic benefit, for 1, 2, or 3 or more dependents, respectively. Beneficiaries also receive an annual cost-of-living increase.

A total of \$10 billion in black lung payments have been made to 500,000 claimants from 1969 through 1980.

A Black Lung Disability Trust Fund, financed by an excise tax on coal production, was set up by the 1978 amendments to pay claims where the last employment was prior to 1970 or where no responsible coal mine operator has been identified. The fund was in deficit by \$1.8 billion as of September 30, 1982. Amendments added in 1981 doubled the coal tax and revised eligibility criteria in an effort to make the fund solvent.

F. Social Security Disability—The federal Social Security Disability program pays benefits on behalf of disabled workers under age 65 whose disability is expected to last 12 months or result in death. A worker becomes eligible after a minimum period of employment covered by Social Security, measured in calendar quarters. There is a 5-month waiting period.

Cash benefits are payable monthly based on wages in covered employment, plus allowances for spouse and children. Effective January 1, 1983, the maximum is \$795.00 for an individual, family maximum \$1,192.00. Cost-of-living increases are payable effective each June.

Benefits are paid out of the Disability Trust Fund, financed from the federal Social Security tax.

Combined Social Security Disability and workers' compensation benefits may not exceed 80 percent of "average current earnings" prior to disability. The Omnibus Budget Reconciliation Act of 1981 requires that Social Security disability benefits supplement workers' compensation unless state law provided for a reverse offset on or before February 18, 1981.

CHART I

TYPE OF LAW AND INSURANCE REQUIREMENTS

January 1, 1983

JURISDICTION	TYPE OF LAW	INSURANCE	SELF-INSURANCE	PENALTIES ON FAILURE TO INSURE
ALABAMA	Compulsory	Required	Individual and group	Fine of not less than \$25 nor more than \$1,000. Employer may be enjoined from doing business and liable to suit with defenses abrogated and double amount of compensation.
ALASKA	Compulsory	Required	Permitted	Class B or C felony (up to 10 years imprisonment, \$50,000 fine, or both). Board may enjoin use of labor. Employer liable to suit with defenses abrogated, and employer negligence presumed proximate cause of injury. Individuals in charge of corporation personally liable for compensation.
AMERICAN SAMOA	Compulsory	Required	Permitted	Misdemeanor, fine up to \$1,000 or imprisonment up to 1 year, or both. Employer liable to suit with defenses abrogated.
ARIZONA	Compulsory	Required	Permitted	Employer liable to suit with defenses abrogated, 10% penalty of award, expenses, and attorney's fees, award paid from Special Fund; injunction against doing business in state.
ARKANSAS	Compulsory	Required	Individual and group	\$500 fine or 1 year imprisonment, or both; employer liable to suit with defenses abrogated.
CALIFORNIA	Compulsory	Required	Permitted	Employer may be enjoined from doing business. Mandatory penalty upon issuance of stop order is \$100 per employee, raised to \$500 per employee if case is compensable (maximum \$10,000). Failure to obey stop order is misdemeanor, penalty is fine up to \$1,000, imprisonment up to 60 days, or both. \$50 penalty for failure to respond to Director's inquiry. Penalties are paid into Uninsured Employers Fund and constitute lien on employer's assets. Employee may sue for damages with employer's defenses abrogated and file for compensation. Intentional failure to insure is misdemeanor.
COLORADO	Compulsory	Required	Permitted	Compensation increased 50% or employer liable to suit with defenses abrogated (at option of employee). Employer may also be enjoined from doing business.
CONNECTICUT	Compulsory	Required	Permitted	Willful failure to insure—fine up to \$1,000, payable into Second Injury Fund.
DELAWARE	Compulsory	Required	Individual and group	Fine of 10 cents per day per employee (maximum \$50, minimum \$1 per day); if default continues for 30 days employer may be enjoined from doing business. Employer liable to suit with defenses abrogated.
DISTRICT OF COLUMBIA	Compulsory	Required	Permitted	Fine of not more than \$1,000 or 1 year imprisonment or both.
FLORIDA	Compulsory	Required	Individual and group	Fine of not more than \$500 or not more than 1 year imprisonment, or both; employer liable to suit with defenses abrogated and may be enjoined from doing business.
GEORGIA	Compulsory	Required	Individual and group	Misdemeanor. Compensation may be increased 10% plus attorney's fees. Penalty up to \$50 per day.
GUAM	Compulsory	Required	Not permitted	Misdemeanor—fine up to \$1,000, imprisonment up to 1 year, or both. Employer liable to suit with defenses abrogated and must reimburse fund for compensation payable. Corporate officers are personally liable for compensation.
HAWAII	Compulsory	Required	Permitted	\$25 or \$1 per employee per day during default, whichever is greater. Injunction against business in the state.
IDAHO	Compulsory	Required	Permitted	Misdemeanor. Employer also liable to penalty of \$1 per day per employee, and may be enjoined from doing business after 30 days default. For default in premiums to state fund, penalty is \$1 per day per employee, and policy may be canceled after 30 days default.
ILLINOIS	Compulsory	Required	Individual and group	Fine of \$100 to \$500 for each day's default.
INDIANA	Compulsory	Required	Permitted	Class A infraction—maximum fine \$10,000. Uninsured employer may be liable for medical and legal expenses plus double compensation and may be enjoined from doing business.
IOWA	Compulsory	Required	Individual and group	Employer liable to suit with defenses abrogated and presumption of negligence of employer. In coal mining, employer is liable to penalty of \$10 to \$100 per day and may be enjoined from further noncompliance.
KANSAS	Compulsory	Required	Permitted	Employer liable to suit with defenses abrogated.
KENTUCKY	Compulsory	Required	Individual and group	Failure to secure payment of compensation—claimant may claim compensation and bring action at law or in admiralty with employer's common law defenses abrogated. Employer may be enjoined from doing business.
LOUISIANA	Compulsory	Required	Individual and group	12% penalty and reasonable attorney's fees for collection of claim.
MAINE	Compulsory	Required	Individual and group	Class D crime. Employer liable to suit with defenses abrogated.
MARYLAND	Compulsory	Required	Permitted	Fine of \$500 to \$5,000 and/or imprisonment for not more than 1 year. Additional penalty for failure to comply with Commission's orders amounting to 6 months insurance premiums. Employer also liable to suit with defenses abrogated. Other insurers assessed to pay unpaid claims of insolvent insurer. Fine of \$150 and 15% penalty on award payable to Uninsured Employers Fund.
MASSACHUSETTS	Compulsory	Required	Permitted	Fine of not more than \$500 or imprisonment for not more than 1 year, or both; employer liable to suit with defenses abrogated.
MICHIGAN	Compulsory	Required	Individual and group	Fine of \$10 to \$100 or imprisonment for 30 days to 6 months, or both.
MINNESOTA	Compulsory	Required	Individual and group	Penalty \$100 if under 5 employees, otherwise \$400. Additional penalty 5 times lawful premiums for continued noncompliance. Employer may be enjoined from further employment. Employer must reimburse compensation paid plus 50% penalty. Intentional noncompliance is gross misdemeanor. Employer liable to suit with some defenses abrogated.
MISSISSIPPI	Compulsory	Required	Permitted	Fine up to \$1,000 or one year imprisonment or both. Employer also liable to suit with defenses abrogated.
MISSOURI	Compulsory	Required	Individual and group	Employer liable to suit with defenses abrogated. Worker may receive compensation out of Second Injury Fund and employer is liable for amounts paid plus fine of \$100 per day of noncompliance after date of injury (up to \$5,000).
MONTANA	Compulsory	Required	Permitted	Division must enjoin employer from doing business. Double amount of unpaid premiums assessed as penalty (minimum \$200). Employer liable for compensation payable, up to \$30,000. Penalties payable into Uninsured Employers Fund.
NEBRASKA	Compulsory	Required	Permitted	Employer liable to suit with defenses abrogated, \$1,000 fine maximum, 1 year imprisonment, or both, may be enjoined from doing business.
NEVADA	Compulsory	Required in state fund	Individual	Employer liable to suit with defenses abrogated and may be enjoined from doing business, misdemeanor punishable by a fine of \$100 to \$500.
NEW HAMPSHIRE	Compulsory	Required	Individual and group	Fine of \$10 for each day of failure to keep evidence of financial ability on file.
NEW JERSEY	Elective	Required	Permitted	Employer liable to suit with defenses abrogated. Misdemeanor, punishable by a fine of not more than \$1,000 or not more than 60 days imprisonment or both, plus \$25 for each 10-day period but not more than \$100 at any one time. Also assessment of \$150 plus 15% of award up to \$1,500 payable to Uninsured Employers Fund.
NEW MEXICO	Compulsory	Required	Permitted	Fine of not more than \$1,000. Employer may be enjoined from doing business.
NEW YORK	Compulsory	Required	Individual and group	Fine of not more than \$500 or imprisonment for not more than 1 year, or both. Employer liable to suit with certain special defenses abrogated. Additional fine of \$100 if uninsured for less than 10 days.
NORTH CAROLINA	Compulsory	Required	Individual and group	Misdemeanor, punishable by fine of 10c per day per employee (maximum \$50.00, minimum \$1 per day), imprisonment, or both. Employer liable to suit with common law defenses abrogated.

Ind. *Except as to state and political subdivisions, banks, trust companies, and savings and loan associations.

Md. *Eligibility for group self-insurance is limited to counties and municipalities.

Minn. *\$500 and \$2,000, respectively, for deliberate failure to insure.

Mo. *Employer engaged in mining must insure only to the extent of maximum liability for 10 deaths in any one accident.

N.J. *Unless employer rejects. Employer of farm worker not required to insure.

N.Y. *Corporate officer who failed to obtain insurance ineligible for benefits out of Uninsured Employers Fund (for himself, surviving spouse, or dependents).

CHART I □ TYPE OF LAW AND INSURANCE REQUIREMENTS □ January 1, 1983 (continued)

JURISDICTION	TYPE OF LAW	INSURANCE	SELF-INSURANCE	PENALTIES ON FAILURE TO INSURE
NORTH DAKOTA	Compulsory	Required in state fund	Not permitted	Misdemeanor punishable by \$500 fine, 1 year imprisonment, or both. Uninsured employer liable for damage or injuries or death and cannot avail himself of common law defense. Employer may be enjoined from employing uninsured workers.
OHIO	Compulsory	Required in state fund	Permitted	Minor misdemeanor—fine up to \$100. If willful, second degree misdemeanor—fine up to \$750, imprisonment up to 90 days, or both. Employer may be enjoined from doing business. Employer is also liable to suit with defenses abrogated.
OKLAHOMA	Compulsory	Required	Individual and group*	Penalty of \$1 per day per employee. Employer liable to suit with defenses abrogated.
OREGON	Compulsory	Required	Individual and group	Employer is liable to suit with defenses abrogated. Enjoined from hiring workmen. Fine of \$1,000 plus \$25 per day administrative costs and legal fees, and fines up to \$5,000 based on type of injury.
PENNSYLVANIA	Compulsory	Required	Permitted	Fine of \$500 to \$2,000 per day or not more than 1 year imprisonment, or both. Employer liable to suit with defenses abrogated.
PUERTO RICO	Compulsory	Required in territorial fund	Not permitted	Misdemeanor, fine of \$25 to \$1,000, or imprisonment for not more than 6 months or both. Employer liable to suit with defenses abrogated. Penalty 30% of compensation (minimum \$10.00).
RHODE ISLAND	Compulsory	Required	Individual and group	Fine of not more than \$100; employer liable to suit with defenses abrogated.
SOUTH CAROLINA	Elective	Required*	Individual and group	If employer does not reject and fails to insure, fine of 10 cents per day per employee (maximum \$50, minimum \$1 per day); if default continues for 30 days employer may be enjoined from doing business. Employer liable to suit with defenses abrogated. Willful failure to insure is misdemeanor punishable by fine of \$100 to \$1,000 or imprisonment of 30 days to 6 months, or both.
SOUTH DAKOTA	Compulsory	Required	Individual and group	Employer liable to suit for damages or double compensation and medical care as benefits.
TENNESSEE	Compulsory	Required	Individual and group	Fine of \$10 to \$100 and after conviction, fine of \$1 for each day of noncompliance. Employer also liable to suit with defenses abrogated.
TEXAS	Elective	Required*	Not permitted**	Employer liable to suit with defenses abrogated. Motor bus certificate may be revoked on failure to insure.
UTAH	Compulsory	Required	Permitted	Fine of \$10 to \$100 or imprisonment of 30 days to 6 months or both. Employer also liable to suit with defenses abrogated. Also, costs and attorney's fees in civil suit.
VERMONT	Compulsory	Required	Permitted	Failure to provide security within 30 days after notice by Commissioner—fine up to \$100 per day.
VIRGIN ISLANDS	Compulsory	Required in territorial fund	Not permitted	Employer liable for compensation and expenses plus penalty equal to 30% of compensation and expenses. Employer liable to suit with defenses abrogated. Fine up to \$500 or imprisonment up to 6 months, or both. Interest on premiums in default. Employer may be enjoined from doing business.
VIRGINIA	Compulsory	Required	Individual and group	Fine \$50 per day per employee (maximum \$1,000, minimum \$50 per day). Employer liable to suit with defenses abrogated and may be enjoined from doing business. Intentionally uninsured employer commits class 2 misdemeanor.
WASHINGTON	Compulsory	Required in state fund	Permitted	Employer may be enjoined from doing business. Willful failure is misdemeanor—fine is \$25 to \$100 daily. 50% to 100% of claim cost, plus \$200 or twice the unpaid premium (whichever is greater). 25% of premiums in default; employer may have to furnish double bond.
WEST VIRGINIA	Compulsory	Required in state fund	Permitted	Employer liable to suit with defenses abrogated.
WISCONSIN	Compulsory	Required	Permitted	Fine of \$10 to \$100 or imprisonment from 30 days to 6 months, or both. Each day is a separate offense. Employer may be restrained from employing any person pending compliance.
WYOMING	Compulsory	Required in state fund	Not permitted	Fine of not more than \$500, plus 10% of premiums due. Employer may also be enjoined from doing business. Employer liable to suit with defenses abrogated.
F.E.C.A.	Compulsory	Federal appropriation		
LONGSHORE ACT	Compulsory	Required	Individual and group	Fine of not more than \$1,000 or 1 year in prison or both for failure to secure payment of compensation.
ALBERTA	Compulsory	Required in provincial fund	Not permitted	Failure to furnish required security—Board may order employer to cease employment; violation—fine up to \$200 daily. Failure to submit statement of wages—up to 15% assessment plus penalty up to half of compensation payable, maximum \$500. Violation of judgment—injunctive against operating. Failure to pay assessment—up to 8% penalty; employer's goods may be seized.
BRITISH COLUMBIA	Compulsory	Required in provincial fund*	Not permitted	Failure to submit statement of wages—compensation payable plus percentage of assessment set by Board. Failure to pay assessment—unpaid amount plus costs of collection and percentage penalty; compensation payable, and employer may be enjoined from operating.
MANITOBA	Compulsory	Required in provincial fund	Not permitted	Failure to submit statement of wages—maximum fine \$500. Failure to submit payroll return statement—employer liable for half of compensation payable (minimum \$50). Failure to pay assessment—penalty of 5% of amount in default for first month and 1% for each succeeding month.
NEW BRUNSWICK	Compulsory	Required in provincial fund*	Not permitted	Failure to submit statement of wages—maximum penalty \$500 plus percentage fixed by Board. Failure to pay assessment—employer liable for compensation payable plus penalty of 12% per year and costs of collection.
NEWFOUNDLAND	Compulsory	Required in provincial fund		Failure to submit statement of wages—maximum fine \$500 plus percentage assessment or interest. Failure to pay assessment—assessment plus costs of collection, percentage penalty, and compensation payable; employer may be enjoined from operating.
NORTHWEST TERRITORIES	Compulsory	Required in territorial fund	Not permitted	Failure to submit statement of wages or to pay assessment—employer liable for compensation payable and assessment, plus percentage of assessment as penalty established by Board or regulations.
NOVA SCOTIA	Compulsory	Required in provincial fund	Not permitted	Employer liable for compensation payable. Failure to submit statement of wages—employer liable for unpaid amount and costs of collection plus 5% penalty, 1% penalty for each month in default, \$50 if annual statement. Failure to pay assessment—2% penalty plus 1% for each month in default and employer may be enjoined from operating.
ONTARIO	Compulsory	Required in provincial fund	Not permitted	Failure to submit statement of wages upon commencing operations and at other required times—penalty plus liability for additional percentage of assessment and costs of claim at discretion of Board.
PRINCE EDWARD ISLAND	Compulsory	Required in provincial fund	Not permitted	Failure to report payroll or pay assessment—penalty of \$100 per week of default plus 2% of amount unpaid after 1 month and 1% for each additional month. Failure to pay assessment—employer may be enjoined from operating.
QUEBEC	Compulsory	Required in provincial fund*	Not permitted	Failure to submit statement of wages upon commencing operations or at other required times—maximum fine \$500. Failure to pay assessment, employer liable for percentage penalty to be established by Board and also a fine of not over \$100 per day.
SASKATCHEWAN	Compulsory	Required in provincial fund	Not permitted	Failure to submit statements of wages upon commencing operations or at other required times—maximum fine \$500. Failure to pay assessment, employer liable for percentage penalty to be established by Board and may be enjoined from operating.
YUKON TERRITORY	Compulsory	Required in territorial fund	Not permitted	Failure to submit statement of wages—maximum fine \$500 plus percentage of assessment. Failure to pay assessment—percentage penalty, and; employer may be enjoined from operating.
CANADIAN MERCHANT SEAMEN'S ACT	Compulsory	Risks must be covered by insurance or other means	At discretion of Board	Failure to insure or cover by other means satisfactory to the Board may cause ship to be detained by Customs.

Okl. *Attorney General has ruled statutory provision for group self-insurance is unconstitutional.
S.C. *Unless employer rejects.

Texas **If employer accepts
**Except for state and political subdivisions.

B.C. *Employer directly liable for compensation if injury was caused by employer's gross negligence or lack of an accident prevention program, maximum \$23,270.66.

N.B. *Subject to approval of Lt.-Gov. in Council, Board may make arrangement for insurance or reinsurance.

Quebec *Subject to approval of Lt.-Gov. in Council, Commission may make arrangement for insurance or reinsurance.

CHART II

COVERAGE OF LAWS

January 1, 1983

JURISDICTION	EMPLOYMENTS COVERED ¹		EXCEPTIONS ²	SPECIAL COVERAGE PROVISIONS ³
	PRIVATE	PUBLIC		
ALABAMA	Compulsory as to employers of 3 or more. Elective as to owner of business.	Compulsory as to all public employments except municipalities of less than 2,000 population and school districts.	Domestic servants and casual employees.	Voluntary for employers of less than 3, including farmers.
ALASKA	Compulsory as to all employments, including elected or appointed corporate executive officers.	Compulsory as to state and political subdivisions, members of state boards, and commissions. Includes regular firemen if not prohibited by local law. Voluntary as to executive officers of municipal corporations.	Part-time baby sitters, cleaning persons, harvest help, etc.	Voluntary as to executive officers of a charitable, religious, educational, or other nonprofit corporation.
AMERICAN SAMOA	Compulsory as to employers of 3 or more; coverage may be required for all hazardous employments.	Compulsory as to all public employments.		Voluntary as to exempt employers.
ARIZONA	Compulsory as to employments. Employee may reject.	Compulsory as to state, counties, cities, towns, municipal corporations, and school districts.	Domestic servants and casual employees.	Voluntary as to employers of domestic servants. Motion picture business employees and employees may be exempted from law provided equal benefits are provided by insurance in domicile state.
ARKANSAS	Compulsory as to employers of 3 or more. Elective as to partners or sole proprietors.	Compulsory as to state agencies, departments, and institutions, and counties. Excludes warfare recipients and unincorporated cities and towns.	Farm labor, domestic servants, casual workers, public charities, vendors, or distributors of newspapers and other publications.	Voluntary as to excepted employments. Compulsory for building repair work, if contractor employs 2 or more employees at any one time. Compulsory for contractor who employs 1 or more and who subcontracts.
CALIFORNIA	Compulsory as to all employments, includes working member of partnership.	Compulsory as to all public employments except clerks and deputies serving without remuneration.	Charity workers and volunteer member workers at camps, etc., operated by nonprofit organizations. Employers sponsoring bowling teams. Domestic workers who work less than 52 hours during preceding 90 days or earn less than \$100. Students in sport events. ⁴	Voluntary as to excepted employments and sponsoring agencies of Economic Opportunity Programs. Employer not liable for injury due to off-duty recreational, social, or athletic activity not part of work-related duties.
COLORADO	Compulsory as to all employments.	Compulsory as to all salaried public employments. Job trainees deemed employees of training commission.	Employees of religious or charitable organizations, domestic servants and casual employees who earn less than \$2,000 per year, volunteer ski lift operators.	All farm labor covered in 1977. Officers of farm corporation may reject coverage.
CONNECTICUT	Compulsory as to all employments. Corporate officer may reject. Elective as to sole proprietors or partners.	Compulsory as to all state, public corporations, and members of General Assembly. Municipalities may elect coverage of elected and appointed officials, police, and firemen.	Casual employees, outworkers, ⁵ domestics employed less than 26 hours weekly, officers of fraternal organizations paid less than \$100 per year.	Voluntary as to excluded employments.
DELAWARE	Compulsory as to all employments.	Elective as to state and certain counties, cities, and towns.	Domestic servants, casual employees earning less than \$300 in 3 months from one household, farm labor.	
DISTRICT OF COLUMBIA	Compulsory as to all employments.	Separate act is compulsory for all public employments, except officers or employees of the United States, state, or foreign government.	Farm labor, casual employees, master or crew of any vessel, and employees of common carrier by railroad in interstate commerce.	Act applies to employees principally localized in Washington, D.C. Domestic workers covered if employer employs 1 or more for 240 hours or more per quarter.
FLORIDA	Compulsory as to employers of 3 or more. Elective as to corporate officers, partners, and sole proprietors.	Compulsory as to state and political subdivisions, except elected officials.	Domestic servants, casual employees, 12 or fewer casual or 5 or fewer regular farm labor, professional athletes, employees of common carriers, and volunteers in nonprofit agencies or federal programs.	Voluntary as to excepted employments. Excludes real estate salesmen, solely on commission. Numerical exemption inapplicable to employees of subcontractors.
GEORGIA	Compulsory as to all employers of 3 or more.	Compulsory as to state, county, municipal corporations, and political subdivisions including school districts. Voluntary as to planning commissions.	Farm labor, domestic servants, employees of common carriers by railroad and casual labor.	Voluntary as to excepted employments.
GUAM	Compulsory as to all industrial employments. ⁶	Compulsory as to paid and voluntary work done for Government of Guam or any political subdivision except federal employees covered by P.L. 77-208 and elected officials.	Workers in interstate or foreign commerce covered by federal law, casual labor, and members of Board of Education.	All contracts of hire are presumed to include an agreement to cover injuries received outside the territory by accident arising out of and in the course of employment.
HAWAII	Compulsory as to all industrial employments. ⁷	Compulsory as to all public officials, elective or appointed. Covers public board members.	Employees of religious, charitable, or nonprofit organizations. Domestic workers who earn less than \$225 during each quarter in the preceding year. Unpaid 25% shareholders of corporation with no employees.	Voluntary as to employments not defined as industrial.
IDAHO	Compulsory as to all employments. Elective as to corporate officers who are 10% shareholders, sole proprietors, and working members of partnership.	Compulsory as to all public employments except officials at secondary school athletic contests.	Agricultural pursuits, domestic servants, casual labor, in-dwelling members of employer's family, outworkers, ⁸ employment not for money, airmen, and commission real estate salesmen and brokers.	Employees within state who work for employers domiciled in another state are covered. Credit is provided for benefits paid to employees under the law of other states.
ILLINOIS	Compulsory as to enumerated "extra hazardous" employments (including occupational diseases).	Compulsory as to all public employments except members of fire and police departments in cities over 200,000 population.	Certain farm labor, domestics, and persons not in usual course of employer's business: real estate brokers and salesmen paid by commission only.	Voluntary as to excluded employments. ⁹
INDIANA	Compulsory as to all employments including corporate officers. Elective as to sole proprietors, or partners.	Compulsory as to state, municipal corporations, and political subdivisions, includes state legislators, and elected and appointed officials.	Farm labor, domestic servants, casual workers, and railroad workers. ¹⁰	Compulsory as to coal mining and for students in cooperative education.
IOWA	Compulsory as to all employments but corporate officers may reject.	Compulsory as to all public employments, except firemen and police then entitled to pension fund. Covers highway safety patrol officers, conservation officers, and agricultural workers at state universities.	Domestic and casual workers earning under \$200 per quarter, farm labor, if employer payroll under \$2,500 per year, or any regular employee for less than 40 hours weekly during 13 weeks.	Employees within state who work for employers domiciled in another state are covered. Credit is provided for benefits paid to employees under the law of other states.
KANSAS	Compulsory as to all employments, including corporate executive officers. Elective as to partners, individuals, or self-employed.	Compulsory as to all public employments. Members of firemen's relief associations may elect to accept or reject coverage.	Farm labor or any employee whose gross annual payroll is not more than \$10,000.	Compulsory as to eleemosynary institutions. Voluntary as to excluded employments. Labor unions and associations may elect coverage for their members who perform services and are not full-time employees.

NOTE: State courts vary in decisions whether minimum of persons must be in state.

¹Compensation laws are classified as compulsory or elective. A compulsory law requires every employer to accept the act and pay the compensation specified. An elective act is one in which the employer has the option of either accepting or rejecting the act, but if he rejects it he loses the customary common law defenses (risk assumed by employee, negligence of fellow servants, and contributory negligence). In most states workers in excepted or excluded employments may be brought under coverage of the act through voluntary action of the employer. In other states, such action of the employer must be concurred in by the employees.

²Applying to private employments only. The exceptions for public employments are given under "Employments Covered—Public."

³Outworker is person to whom articles are given for cleaning, repair, etc., at home.

Alab. ⁴Special act covers employees of U.S.S. Alabama Battleship Comm. and authorizes excess medical care benefits not to exceed \$10,000 per employee, also, for employees of Department of Agriculture and Industries.

Calif. ⁵Excludes amateur athletic participants who are not employees.

Guam ⁶Employment in trade, occupation, or profession, carried on by employer for pecuniary gain.

Hawaii ⁷Employment in trade, occupation, or profession, carried on by employer for pecuniary gain.

Ill. ⁸The law is "elective" as to private employments of a nonhazardous nature, but it does not abrogate the employer's defenses if he does not accept the act, and thus is considered to be voluntary.

Ind. ⁹Elective for officer of a charitable, religious, educational, or nonprofit corporation.

CHART II ☐ COVERAGE OF LAWS ☐ January 1, 1983 (continued)

JURISDICTION	EMPLOYMENTS COVERED ¹		EXCEPTIONS ²	SPECIAL COVERAGE PROVISIONS ³
	PRIVATE	PUBLIC		
KENTUCKY	Compulsory as to all employments, including corporate executives. Elective as to owner of business or partner. Worker may reject voluntarily prior to injury.	Compulsory as to state and political subdivisions, including elected and appointed state officials and employees of the General Assembly.	Domestic servants if employer employs fewer than 2 each regularly employed 40 hours a week, casual workers employed less than 20 consecutive days; agricultural laborer for charitable or religious organization in return for aid or sustenance; and participant in carpool to and from work.	Specifically covers newsboys and operators of coal mines. Voluntary as to excluded employments.
LOUISIANA	Compulsory as to all employments, including corporate executives. Corporate officers who are 10% shareholders, partners, and sole proprietors may reject.	Compulsory as to all public employments, except sheriffs, deputies and officials. Subdivisions may cover elective and appointive officials.	Crews of crop spraying aircraft while acting as contractors, or employees of persons principally engaged in agriculture; real estate brokers and salesmen.	Excludes officers of nonprofit charitable, fraternal, cultural, or religious corporations or associations.
MAINE	Compulsory as to all employments, including corporate executive officers. Corporate officers who are 20% shareholders may reject. Elective as to self-employed persons or partners.	Compulsory as to state, counties, cities, towns, and quasi-municipal corporations.	Casual or seasonal farm labor, domestic servants, maritime employees in interstate or foreign commerce, or lobster sternman. Voluntary participant in employer-sponsored athletic event. Employers of fewer than 5 aquaculture laborers.	Voluntary as to excluded employments. Parent, spouse, or child of sole proprietor or partner may reject coverage.
MARYLAND	Compulsory as to all employments, including corporate officers. Elective as to partners or sole proprietors. Covers farm and dairy farmers with 3 or more employees.	Compulsory as to state, counties, cities, and their agencies, paid firemen in certain counties, prisoners working for county roads boards, forest wardens, crewmen and fire fighters for Department of Forest and Parks, jurors for non-federal courts.	Certain maintenance workers, not employed for 30 consecutive days around a private home; casual, seasonal, or migratory farm labor who do not operate machinery.	Voluntary as to excluded employments. Officers of close corporation may reject. Small employers of farm labor may be insured under a group policy.
MASSACHUSETTS	Compulsory as to all employments.	Compulsory as to state, elective as to counties, cities, and districts having power of taxation. Municipalities required to indemnify police and firemen. Cities and towns may cover certain elected or appointed officials.	Seasonal and casual labor, domestic servants employed less than 16 hours a week, masters and seamen in interstate commerce covered by federal law, athletes whose contracts provide wages during job disability.	Voluntary as to domestic servants hired casually or on a seasonal basis.
MICHIGAN	Compulsory as to all employers of 3 or more, or less than 3 if 1 is employed for 35 hours per week for 13 consecutive weeks by same employer.	Compulsory as to all public employments. Trainees in federally funded training program deemed employees of sponsoring public entity.	Professional athletes whose average weekly wage is more than 200% of statewide average weekly wage; domestic servants who work less than 35 hours a week for 13 weeks a year.	Voluntary as to employer of 2 or less, and domestic service. Family members may be excluded by endorsement.
MINNESOTA	Compulsory to all employments. Elective as to owners of business or farm and officers of certain family farms or close corporations and their families.	Compulsory as to all public employments, including elected and appointed state officers. Elective for elected or appointed officers of political subdivisions.	Certain casual labor, household workers who earn under \$500 per 3 months from one private household, family farms with annual farm labor payroll under \$8,000, railroad workers covered by federal law, and nonprofit corporations with annual payroll under \$500, commercial thresher or baler for family farm.	Election must be in writing.
MISSISSIPPI	Compulsory as to all employers of 5 or more. Corporate officers may reject.	Voluntary as to public employments. Specifically excludes handicapped in state sheltered workshop programs.	Domestic servants, farmers, farm labor, newspaper distributors, officers of nonprofit charitable, fraternal, cultural, or religious corporations or associations.	Voluntary as to exempted employees.
MISSOURI	Compulsory as to all employers of 5 or more.	Compulsory as to all public employments, including elected and appointed state officials, contractors of a public corporation, state militia, and sheriffs and deputy sheriffs. Compulsory for workers on state welfare projects under federal Economic Opportunity Act.	Farm labor, domestic servants, and occasional labor for private household.	Voluntary as to exempt employments, employees of less than 5 employees, and salaried officers of Missouri farm corporations.
MONTANA	Compulsory as to all employments. Corporate officers may reject. Elective as to partners and sole proprietors.	Compulsory as to all public employments, including public contractors.	Domestic and casual employment, family members, employees covered by federal law, and person performing services for aid and sustenance only.	Voluntary as to exempt employments.
NEBRASKA	Compulsory as to all employments. Corporate officers who are 25% shareholders may reject.	Compulsory as to all employments, including officials elected or appointed for fixed terms.	Farm labor and domestic servants.	Voluntary as to farm labor and domestic service.
NEVADA	Compulsory as to all employments. Elective as to sole proprietors.	Compulsory as to all employments, including public contractors. Also includes unpaid members of state departments, boards, commissions, agencies, or bureaus appointed by a statutory authority, members of local bands and orchestras.	Farm labor, domestic servants, casual employees, actors, except employees of motion picture producers, employees engaged without pay in employer's social or athletic events, and voluntary ski patrolmen.	Voluntary as to exempt employments. Employee may elect compensation if mandated employer is uninsured.
NEW HAMPSHIRE	Compulsory as to all employments. First 3 corporate officers not counted as employees. Elective as to partners and sole proprietors.	Compulsory as to all public employments.	Railroad workers covered under F.E.L.A. (Jones Act).	
NEW JERSEY	Elective as to all employments.	Compulsory as to all public employments.	Casual workers, maritime workers, and railroad workers engaged in interstate commerce.	
NEW MEXICO	Compulsory as to employers of 3 or more. Corporate officers who are 10% shareholders may reject.	Compulsory as to state, counties, cities, towns, schools, drainage, irrigation, or conservancy districts, public instruction or administrative boards, includes elected or appointed officials.	Farm or ranch labor, domestic servants, and casual employees.	Numerical exception does not apply to structural work 10 feet above ground. Voluntary as to farm labor, domestic service and where less than 3 are employed.
NEW YORK	Compulsory as to all employments, including corporate executives except corporate officer who is sole shareholder.	Compulsory as to state and subdivisions when worker is engaged in hazardous occupations enumerated. Covers school aides and public school teachers in districts outside New York City. Voluntary as to municipal corporations in nonhazardous employments.	Elective as to farm labor if payroll during prior year was less than \$1,200, volunteer workers, and domestic workers not employed by same employer at least 40 hours per week.	Specifically includes newsboys under 18 (double compensation if employer knowingly hired in violation of education law). Excludes officers of religious, charitable, veteran, or educational corporation.
NORTH CAROLINA	Compulsory as to all employers of 4 or more and all employments with exposure to radiation. Corporate officers count toward total number of employees but may reject.	Compulsory as to public employments, public and quasi-public corporations, and elective officials.	Farm labor, domestic servants, casual workers, railroad workers, voluntary ski patrolmen, individual sawmill or logging operators with fewer than 10 employees who operate less than 60 days over a 6-month period.	Voluntary as to casual employees, farm labor, domestic servants, and employers of fewer than 4 employees.
NORTH DAKOTA	Compulsory as to all hazardous employments. Excludes corporate officers unless performing duties performed by employee.	Compulsory as to all public employments.	Farm labor, domestic servants, casual workers, illegal enterprises or occupations.	Voluntary as to nonhazardous and excluded employments.

NOTE: State courts vary in decisions whether minimum number of persons must be in state.

¹Compensation laws are classified as compulsory or elective. A compulsory law requires every employer to accept the act and pay the compensation specified. An elective act is one in which the employer has the option of either accepting or rejecting the act, but if he rejects it he loses the customary common law defenses (risk assumed by employee, negligence of fellow servants, and contributory negligence). In most states workers in exempted or excluded employments may be brought under coverage of the act through voluntary action of the employer. In other states, such action of the employer must be concurred in by the employees.

²Applying to private employments only. The exceptions for public employments are given under "Employments Covered—Public."

Mich. *Corporate officer who is 10% shareholder of corporation with up to 10 shareholders may reject.

Mo. *Employers of fewer than 5 employees who do not elect coverage are liable to suit with defenses abrogated.

CHART II □ COVERAGE OF LAWS □ January 1, 1983 (continued)

JURISDICTION	EMPLOYMENTS COVERED ¹		EXCEPTIONS ²	SPECIAL COVERAGE PROVISIONS ³
	PRIVATE	PUBLIC		
OHIO	Compulsory as to all employments. Elective as to partners and sole proprietors.	Compulsory as to state, counties, cities, townships, incorporated villages, and school districts.	Casual and domestic workers paid less than \$160 by one employer in any 3-month period.	Elective as to officers of family farm corporations.
OKLAHOMA	Compulsory as to all employments. Elective as to 10% shareholders, partners, and sole proprietors.	Compulsory as to the state, counties, cities, or municipalities employing workers in hazardous employments, except where equivalent schemes are in force.	Domestic and casual employees of homeowner whose annual payroll is under \$10,000, worker covered by federal law, agricultural/horticultural employer whose annual payroll is under \$100,000, real estate salesmen and brokers.	
OREGON	Compulsory as to all employments. Elective as to sole proprietors, partners, and corporate officers who are also directors with a substantial ownership interest.	Compulsory as to state, departments, cities, or towns and other political subdivisions. Covers volunteer trainees in state schools for deaf and blind.	Domestics, casual labor, interstate transportation, and certain charitable or relief work.	Voluntary as to excepted employments. Covers clients in Vocational Rehabilitation Division. Owner-operator of equipment for hire or taxi may elect coverage.
PENNSYLVANIA	Compulsory as to all employments.	Compulsory as to all public employments except elected officials. Students in vocational work program covered as employees of employer.	Domestic or casual labor, outworker ³ , farmer with 1 employee who works less than 20 days a year or earns less than \$150 a year.	Voluntary as to casual and domestic service.
PUERTO RICO	Compulsory as to all employments.	Compulsory as to all public employments with or without salary.	Casual workers and persons who work at home.	Compulsory for sole proprietors and their families when supervising or engaging in manual labor in their business or farm.
RHODE ISLAND	Compulsory as to all employers of 4 or more, and employers in hazardous occupations.	Compulsory as to the state and city of Providence, elective as to cities or towns.	Agriculture, domestic service.	Voluntary as to agriculture, domestic service, and employers or less than 4 employees, except those in hazardous occupations.
SOUTH CAROLINA	Elective as to all employers of 4 or more, including active partners and sole proprietors whose employees are eligible for benefits.	Compulsory as to all public employments except elective and appointive officials.	Casual employees, persons engaged in selling agricultural products, farm labor, railroads, express companies, state and county fair associations, employer with annual payroll under \$3,000.	Voluntary as to excluded employments.
SOUTH DAKOTA	Compulsory as to all employments. Elective as to employer performing labor incidental to job.	Compulsory as to all public employments, except elected or appointed officials. Firemen covered. Subdivisions of state may elect to cover elected and appointed officials. Students in vocational work program covered as employees of employer.	Farm labor, domestic servants if employed more than 24 hours in any week or more than 6 weeks in any 13-week period.	Voluntary as to farm labor and domestic service. Compulsory as to operators of farm machinery, e.g., threshers, combines, shellers, cornhuskers.
TENNESSEE	Compulsory as to all employers of 5 or more. Corporate officers may reject. Elective as to partners and sole proprietors.	Voluntary as to state and political subdivisions.	Farm labor, domestic servants, casual employees, employees of interstate common carriers, and voluntary ski patrolmen.	Voluntary as to employers of less than 5.
TEXAS	Elective as to all employments. Elective as to corporate officers, partners, and sole proprietors.	State provides self-insurance coverage for Highway Dept., University of Texas, and Texas A&M University. Counties and municipalities may provide compensation for their employees (by separate act).	Farm and ranch labor, domestic servants, railways used as common carriers, and employees not in usual course of employer's business.	Specifically covers motorbus companies. Elective as to excepted workers. Real estate salesmen by commission only may elect coverage.
UTAH	Compulsory as to all employments. Elective as to partners and sole proprietors.	Compulsory as to all public employments.	Casual employees. Farm employers whose payroll is less than \$2,500 per year, who do not employ 4 persons for 40 hours per week for 13 weeks during year, or employer-owner's family. Domestics who work less than 40 hours per week for a single employer.	Voluntary as to farm labor and domestic service.
VERMONT	Compulsory as to all employments. Corporate officers may reject.	Compulsory as to all public employees, including legislators while in session, teachers, police, firemen, town and school employees, other municipal employees entitled to pensions, and road commissioners or selectmen engaged in highway maintenance or construction.	Casual or domestic employees, amateur athletes, farm labor where employer's payroll is under \$2,000 per year.	Specifically covers circuses and carnivals. Exempted farmers and employers of domestics may elect coverage.
VIRGIN ISLANDS	Compulsory as to all employments. Elective as to partners and sole proprietors.	Compulsory as to all public employments.	Casual and domestic employees, and volunteers for charitable organizations.	Voluntary as to exempt employers and employees.
VIRGINIA	Compulsory as to employers of 3 or more (4 or more farm employers or \$15,000 annual payroll). Elective for corporate officers, partners, and sole proprietors.	Compulsory as to all public employments, except administrative officers and employees elected or appointed for definite terms. Includes judges of Supreme Court and Circuit Court and judges and clerks of juvenile, domestic relations, and district courts.	Casual employees, horticultural and farm laborers, domestic servants, employees of steam railroads, and employees not in usual course of employer's trade, business, or occupation.	Voluntary as to employers of less than 3, farm labor, and domestics.
WASHINGTON	Compulsory as to all employments. Elective as to partners, sole proprietors, joint venturers, and corporate officers who are shareholders/directors.	Compulsory as to all public employments.	Home repair and gardening workers, railroad workers, unpaid workers in eleemosynary institutions, children under 18 on a family farm, jockeys, farm labor earning less than \$150 from one employer in calendar quarter, and employees not in usual course of employer's business.	Covers apprentices registered with Apprenticeship Council.
WEST VIRGINIA	Compulsory as to all employments. Elective as to partners and sole proprietors.	Compulsory as to all public employments, including elected officials.	Domestic workers, farm labor of 5 or fewer, casual employees, and employees working out of state (except temporarily).	Compulsory for officers of corporations and executive associations.
WISCONSIN	Compulsory as to all employments (except farm labor) if paid \$500 or more in any calendar quarter for services in the state. Compulsory as to farmers with 5 or more employees.	Compulsory as to all employees, including state legislators.	Domestic servants and casual employees.	Voluntary as to excluded employments.
WYOMING	Compulsory as to enumerated "extra-hazardous" occupations conducted for gain. Elective as to corporate officers.	Compulsory as to state, counties, and municipal corporations when engaged in "extra-hazardous" work.	Domestic servants and casual employees, office workers, sales clerks, farm and ranch workers.	Elective as to farm and ranch workers (except dude ranches).
F.E.C.A.		All civil employees of the U.S. government, including employees of wholly owned instrumentalities, and persons performing activities of civil employees without pay.		

NOTE: State courts vary in decisions whether minimum number of persons must be in state.

¹ Compensation laws are classified as compulsory or elective. A compulsory law requires every employer to accept the act and pay the compensation specified. An elective act is one in which the employer has the option to either accept or reject the act, but if he rejects it he loses the customary common law defenses (risk assumed by employee, negligence of fellow servants, and contributory negligence). In most states workers in excepted or excluded employments may be brought under coverage of the act through voluntary action of the employer. In other states, such action of the employer must be concurred in by the employees.

² Applying to private employments only. The exceptions for public employments are given under "Employments Covered—Public."

³ Outworker is person to whom articles are given for cleaning, repair, etc., at home.

Pa. *Elective for members of certain State Treasurer, and State religious sects whose tenets prohibit benefits from insurance, provided the sect makes provision for its members.

Texas *Subdivisions may elect to cover officer deemed volunteer firemen, police, and emergency medical personnel.

**CETA employees are deemed employees of the sponsor who disburses wages.

Vt. *Municipalities may elect coverage of other employees. Excludes other elected officials, certain judges, sheriffs, and county treasurers and clerks.

Wyo. *Salary of corporate \$2,400 minimum, \$4,800 maximum.

CHART II □ COVERAGE OF LAWS □ January 1, 1983 (continued)

JURISDICTION	EMPLOYMENTS COVERED ¹		EXCEPTIONS ²	SPECIAL COVERAGE PROVISIONS ³
	PRIVATE	PUBLIC		
LONGSHORE ACT	Compulsory as to all maritime employment nationwide, including longshoring, harborworking, shipbuilding, or ship repair.	Officers and employees of the U.S. or any state or foreign governments are not covered.	Master or crew of any vessel and persons unloading or re-loading vessels of less than 18 tons. Not applicable to maritime employment in Puerto Rico. ⁴	Act also applies to workers at military bases and public works abroad, welfare and morale service workers for military abroad, and workers for nonappropriated funds (ship's services, PX's, etc.) in U.S. and abroad.
ALBERTA	Compulsory as to all nonexempted employments. Corporate officers are covered ⁵ ; employer may elect coverage for self. Elective as to partners and sole proprietors.	Compulsory as to provincial employees, most school teachers are exempt.	Employments listed in General Regulations (includes farm labor, domestics, outworkers ³ , financial institutions, religious and charitable institutions, legal services, medical and dental services, athletes, and employees of labor unions).	Voluntary as to excepted employments and corporate directors. Board may include any individual or class by regulation.
BRITISH COLUMBIA	Compulsory as to all employments listed in Part I. Employer may elect coverage for self.	Compulsory as to all provincial and municipal employees, including members of fire brigade, ambulance staff, and mine rescue or inspection workers.	Outworkers, ³ casual labor, performers.	Voluntary as to unenumerated employments. Board may include any industry by regulation. Lt. Gov. in Council may require coverage of commercial fishing industry.
MANITOBA	Compulsory as to all employments listed in Schedule I. Elective as to corporate officer, employer, or sole proprietor. Employer may elect coverage for self.	Compulsory as to all provincial and municipal employments, except employees of school boards, including teachers.	Farm labor, outworkers, ³ casual labor.	Voluntary as to unenumerated and excepted employments. Lt. Gov. in Council may include any industry by regulation.
NEW BRUNSWICK	Compulsory as to all regular employers of 3 or more. Compulsory as to salaried corporate officer or director. Employer may elect coverage for self.	Elective as to public employments.	Farm labor, outworkers, ³ domestic servants, and casual employees ⁶ .	Voluntary as to excepted employments. Board sets numerical exemption by regulation.
NEWFOUNDLAND	Compulsory as to employments listed in Part I. Includes corporate executives, owner of business may elect coverage for self.	All provincial employees are covered. Elective as to municipal officers. Board may exclude public officials by regulation.	Casual labor, outworkers, ³ and domestic servants.	Specifically covers owner of pulpwood logging business. Voluntary as to unenumerated and excepted employments. Unenumerated employers liable for negligence with defenses abrogated except contributory negligence; not applicable to domestic servants.
NORTHWEST TERRITORIES	Compulsory as to all employments. Elective as to corporate officers.	Compulsory as to territory government.	Partners in professional firms.	Commissioner may exempt industry, employer, or worker. Voluntary as to excepted employment.
NOVA SCOTIA	Compulsory as to employments listed in Part I. Board has exempted employers of 2 or fewer. Includes corporate executives, employer may elect coverage for self.	Elective as to public employments. Firemen and police are excluded. Board may exclude public officials.	Casual labor, outworkers ³ , farm labor, domestic servants. By regulation Board has excluded specific industries, including educational institutions, persons in medical work and dental surgery, veterinarians, athletes, barbers, taxicabs, florists, horticultural employment, entertainers, and aviation industry.	Voluntary as to excepted employments. Board may include or exclude any industry or set numerical exemption by regulation.
ONTARIO	Compulsory as to all employments listed in Schedules I and II. Corporate officer may elect coverage.	Compulsory as to all provincial and municipal employments.	Domestic servants, outworkers ³ .	Voluntary as to unenumerated and excepted employments.
PRINCE EDWARD ISLAND	Compulsory as to employments listed in Part I. Board has exempted employers with 1 employee. Elective as to corporate officer.	Compulsory, except for municipal officers. Municipal firemen and police may be covered on application.	Casual labor, outworkers ³ , farm labor, domestic servants, taxi industry, junk industry employers of 9 or fewer, aviation industry employers of 99 or fewer.	Voluntary as to unenumerated and excepted employments.
QUEBEC	Compulsory as to all employments.	Compulsory as to all provincial and municipal employments.	Domestic servants, outworkers ³ and casual employees.	Voluntary as to unenumerated and excepted employments.
SASKATCHEWAN	Compulsory as to all employments. Compulsory for corporate officers and salaried employees.	Compulsory as to all provincial and municipal employments. Municipalities and corporations may elect coverage of mayor and members of governing body.	Farm and ranch labor, domestic servants, outworkers ³ , and school teachers.	Voluntary as to excepted employments. Lt. Gov. in Council may exclude any industry, employer, or worker.
YUKON TERRITORY	Compulsory as to all employments.	Compulsory as to territory government.	Casual employees, domestics, outworkers ³ .	Voluntary as to excepted employments.
CANADIAN GOVERNMENT EMPLOYEES ACT		Compulsory as to employees of government departments, Crown corporations, boards, commissions, etc. in Canada and abroad.		Claims are determined by provincial boards. Benefits same as for private employees in same province; worker in territory is deemed employed in Alberta.
CANADIAN MERCHANT SEAMEN'S ACT	Compulsory as to all employees of Canadian registered ships, as defined.		Pilots, apprenticed pilots, and fishermen.	No compensation payable if entitled under Government Employees Compensation Act or any provincial act.

¹Compensation laws are classified as compulsory or elective. A compulsory law requires every employer to accept the act and pay the compensation specified. An elective act is one in which the employer has the option of either accepting or rejecting the act, but if he rejects it he loses the customary common law defenses (risk assumed by employee, negligence of fellow servants, and contributory negligence). In most jurisdictions workers in excepted or excluded employments may be brought under coverage of the act through voluntary action of the employer. In other jurisdictions, such action of the employer must be concurred in by the employees.

²Applying to private employments only. The exceptions for public employments are given under "Employments Covered—Public."

³Outworker is person to whom articles are given for cleaning, repair, etc., at home.
Longshore: By decisional law, *Garcia v. Friesbeck*, 597 F.2d 284 (1st Cir.), cert. denied, 444 U.S. 940 (1979).

Alta.: Corporate director may elect coverage.

N.B.: By regulation also excludes fishing industry, employers of less than 10 workers in hand laundry and air or water transport, employers of less than 500 workers on vessel in intraprovincial waters.

CHART III

COVERAGE OF MINORS

January 1, 1983

JURISDICTION	COVERED	FUTURE EARNING CAPACITY	ILLEGAL EMPLOYMENT	SPECIAL BENEFIT PROVISIONS
ALABAMA	Yes		Double compensation	Settlement valid
ALASKA	Yes	Considered		
AMERICAN SAMOA	Yes	Considered		Guardian may be required
ARIZONA	Yes	Considered		Lump sum payable to guardian
ARKANSAS	Yes		Double compensation	
CALIFORNIA	Yes	Considered	50% additional compensation ¹	Settlement valid until claimed by parent or guardian
COLORADO	Yes		(-)	
CONNECTICUT	Yes	Considered		If under 18, 50% additional compensation for scheduled injury. If under 16, 100% added. Guardian may be required.
DELAWARE	Yes			
DISTRICT OF COLUMBIA	Yes	Considered		
FLORIDA	Yes			Guardian may be required
GEORGIA	Yes			Board may appoint special guardian where no general guardian has been appointed
GUAM	Yes	Considered		Guardian may be required
HAWAII	Yes	Considered		
IDAHO	Yes	Considered		Lump sum under probate jurisdiction
ILLINOIS	Yes		If under 16, 50% additional compensation	Minor may elect suit for damages
INDIANA	Yes		If under 16, double compensation ¹	If over \$100 payable to guardian
IOWA	Yes	Considered if apprentice or trainee		Settlement valid
KANSAS	Yes			Payments to minor, guardian, or conservator
KENTUCKY	Yes	Considered		Lump sum payable to guardian
LOUISIANA	Yes			
MAINE	Yes			
MARYLAND	Yes	Considered	Double compensation, discretionary ¹	
MASSACHUSETTS	Yes	Considered	Double compensation ¹	If guardian required, insurer must pay expenses
MICHIGAN	Yes		If under 18, double compensation ¹	
MINNESOTA	Yes			Entitled to maximum benefits if permanent partial disability. Guardian may be required.
MISSISSIPPI	Yes		Double compensation ¹	Guardian may be required
MISSOURI	Yes	Considered	50% additional compensation	
MONTANA	Yes	Considered		
NEBRASKA	Yes		Same as adult	
NEVADA	Yes		\$300-\$2000 payable into the state fund	
NEW HAMPSHIRE	Yes	Considered	Illegally employed, double compensation	
NEW JERSEY	Yes		Under 14, or between 14-18 without permit, double compensation ¹ . Minor may elect suit for damages.	Guardian required
NEW MEXICO	Yes			

JURISDICTION	COVERED	FUTURE EARNING CAPACITY	ILLEGAL EMPLOYMENT	SPECIAL BENEFIT PROVISIONS
NEW YORK	Yes	Considered	If under 18, double compensation ¹	Applies to second injuries, rehabilitation, and reopened cases
NORTH CAROLINA	Yes	Considered		Permanent disability payments over \$500 payable to guardian
NORTH DAKOTA	Yes	Considered		Lump sum payable to guardian
OHIO	Yes	Considered	Double compensation	Lump sum payable to guardian
OKLAHOMA	Yes	Considered	Excluded	
OREGON	Yes		25% (maximum \$500) to state fund	Lump sum payable to guardian
PENNSYLVANIA	Yes		Violation of child labor law—50% additional compensation ¹	
PUERTO RICO	Yes		If under 18, double compensation	
RHODE ISLAND	Yes		Triple compensation	
SOUTH CAROLINA	Yes			If over \$250, payable to guardian
SOUTH DAKOTA	Yes			
TENNESSEE	Yes			If over \$250, payable to guardian
TEXAS	Yes	Considered		Payable to guardian
UTAH	Yes	Considered		Lump sum payable to guardian
VERMONT	Yes			
VIRGIN ISLANDS	Yes		30% additional compensation ¹	
VIRGINIA	Yes			If over \$300, payable to guardian
WASHINGTON	Yes		50% to state fund ¹	If over \$750, lump sum payable under probate jurisdiction
WEST VIRGINIA	Yes		Excluded	
WISCONSIN	Yes	Considered	Doubled or tripled ¹	Guardian may be required
WYOMING	Yes			Lump sum payable under probate jurisdiction
F.E.C.A.	Yes	Considered		
LONGSHORE ACT	Yes	Considered		
ALBERTA	Yes	Considered		Paid as Board deems best
BRITISH COLUMBIA	Yes	Considered		Paid as Board deems best
MANITOBA	Yes	Considered		Paid as Board deems best
NEW BRUNSWICK	Yes	Considered		Paid as Board deems best
NEWFOUNDLAND	Yes	Considered	If under 14, death benefit to parent may be withheld	Paid as Board deems best
NORTHWEST TERRITORIES	Yes	Considered		Paid as Board deems best
NOVA SCOTIA	Yes	Considered	If under 14, death benefit to parent may be withheld	Paid as Board deems best
ONTARIO	Yes	Considered	(-)	Paid as Board deems best
PRINCE EDWARD ISLAND	Yes	Considered	(-)	Paid as Board deems best
QUEBEC	Yes	Considered		Paid as Commission deems best
SASKATCHEWAN	Yes	Considered		Paid as Board deems best
YUKON TERRITORY	Yes	Considered		Paid as Commissioner deems best
CANADIAN MERCHANT SEAMEN'S ACT	Yes			Paid as Board deems best

¹Employer may not insure additional amount of compensation.

Ark: Unless minor misrepresents age in writing to employer.

Colo: Permanent disability and death benefits paid at maximum rate payable at time of death or determination of permanent disability.

Hawaii: Permanent total disability and death benefits based on AWW employee would have received at age 25.

Idaho: Adult wages for all scheduled injuries.

Ind: Student in vocational education program treated as worker age 17 and not entitled to double compensation.

La: Compulsory coverage for minors between 12 and 18 engaged in street trade.

Mich: Except in case of fraudulent use of permits or age certificates.

N.H.: Employer may not insure additional amount of compensation. Students 14 and over employed between semesters or on on-the-job training, and junior auxiliary firemen, are excepted.

N.J.: Does not apply if working under certificate.

N.Y.: Employer may not insure additional amount of compensation. Students age 14 and over employed between semesters or on on-the-job training, and junior auxiliary firemen, are excepted.

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N.C.: Compensation for permanent disability or death with surviving dependents is based on AWW paid an adult employee in a position to which a minor employee would likely be promoted; if no position exists, then the minor is entitled to the maximum benefit. In temporary disability and no-dependency death cases, compensation may be increased in proportion to expected earnings where total disability extends over 52 weeks.

Wash: Imposed only if minor is below minimum age for employment or working without permit.

Wis: Doubles for minor of permit age employed without a permit. Maximum \$7,500; tripled where such minor was employed in prohibited work, or in the case of minor under permit age and illegally employed. Maximum \$15,000. Additional compensation payable by employer. Minors given contractual power under the Act. Employer misled by fraudulent written evidence of age by minor, extra compensation paid into special children's death benefit fund.

Ont: Employer may be held individually liable.

P.E.I.: Employer may be held individually liable.

CHART IV

COVERAGE OF OCCUPATIONAL DISEASES

January 1, 1983

JURISDICTION	NATURE OF COVERAGE	MEDICAL BOARDS	ONSET OF DISABILITY OR DEATH	TIME LIMIT ON CLAIM FILING	DEDUCTIONS FROM DEATH AWARDS	MEDICAL CARE	COMPENSATION
ALABAMA	Elective for all diseases. Special provisions for radiation. Law includes federal Black Lung Act provisions.		Death—within 3 years after last exposure where employee was exposed to hazards within 5 years prior to injury, in each of at least 12 months. Radiation—death or disability within 3 years of exposure.	Within 1 year after injury, death, or last payment. Radiation—within 1 year after disability or death and claimant knows should know relation to employment.		Unlimited	Same as for accidents.
ALASKA	All diseases.			2 years after knowledge of relation to employment. Within 1 year after death.		Unlimited	Same as for accidents.
AMERICAN SAMOA	All diseases.	Claimant examined by physician selected by Commissioner.		Within 1 year after claimant knows should know relation to employment.		Unlimited	Same as for accidents.
ARIZONA	All diseases, includes radiation.	Board of 3 medical consultants may be appointed by Commission. Report is prima facie evidence of facts.		Within 1 year after disability or accrual of right, excusable.*	Disability payments.	Unlimited	Same as for accidents.
ARKANSAS	All diseases, includes radiation.		Death—within 2 years after last exposure, or 7 years if following continuous disability. Radiation diseases excepted.	Within 2 years after last exposure or 2 years after death. Within 2 years after employee is advised by physician of condition, in radiation cases.		6 months limit, may be extended indefinitely.	Same as for accidents, including partial disability.
CALIFORNIA	All diseases. Special account for asbestos-related disease.		Death—within 1 year after injury or 240 weeks if following continuous disability.	Disability—within 1 year from injury or last payment. Death—within 1 year after death and in no case more than 240 weeks after injury.		Unlimited	Same as for accidents, including partial disability.
COLORADO	All diseases.		Within 5 years after injury (except radiation, asbestosis, silicosis, or anthracosis).	Within 3 years after commencement of disability or death. Within 5 years in case of ionizing radiation, asbestosis, silicosis, or anthracosis.		Maximum \$20,000. Division of Labor may authorize additional care from Major Medical Insurance Fund.	Same as for accidents.
CONNECTICUT	All diseases, includes radiation.	Panel of 3 physicians may be appointed by Commissioner to resolve medical issues involving lung disease.		Within 3 years after first manifestation of disease (within 2 years if death occurs within 2 years after first manifestation of disease, or 1 year after death, whichever is later).		Unlimited	Same as for accidents, including partial disability.
DELAWARE	All diseases, includes radiation.			Disability or death—within 1 year after claimant knows relation to employment.		Unlimited	Same as for accidents, including partial disability.
DISTRICT OF COLUMBIA	All diseases.			Within 1 year after injury, death, last payment, or knowledge of relation to employment.		Unlimited.	Same as for accidents, including partial disability.
FLORIDA	All diseases.		Death—following continuous disability and within 350 weeks after last exposure.	Within 1 year after injury, death, or last payment. Within 2 years after injury in case of radiation disease.		Unlimited.	Same as for accidents, including partial disability.
GEORGIA	All diseases.	Medical board of 5, finding conclusive.	Within 1 year after last exposure for disablement or death, 3 years for byssinosis, silicosis or asbestosis, 7 years for death following continuous disability.	Same as disability, except radiation—within 1 year after onset of disability and claimant knows should know relation to employment.	Disability payments.	Unlimited.	Same as for accidents, including partial disability or loss of use of a member or vision of an eye.
GUAM	All diseases.			Within 1 year after injury, death, or last payment.		Unlimited.	Same as for accidents.
HAWAII	All diseases, includes radiation.			Within 2 years after claimant knows relation to employment.		Unlimited.	Same as for accidents.
IDAHO	All diseases.		Death—within 1 year after last exposure or 4 years following continuous disability.	Within 1 year after manifestation of disease, death, or 5 years after last payment. Radiation—within 1 year after disability or death and claimant knows should know relation to employment.	Disability payments.	Unlimited.	Same as for accidents.
ILLINOIS	All diseases.		Disability—within 2 years after last exposure (3 years for berylliosis or silicosis). Radiation—disability or death within 25 years.	Within 3 years after disablement, death, or last payment, whichever is later.	Disability payments but with minimum compensation.	Unlimited.	Same as for accidents, including partial disability.
INDIANA	All diseases.		Disablement—within 2 years after last exposure, within 3 years if exposed to asbestos, coal, or silica dust. Death—within 2 years after disablement.	Within 2 years after disablement or death. Radiation—within 2 years after claimant knows should know relation to employment.	Disability payments.	Unlimited.	Same as for accidents, including partial disability.
IOWA	All diseases.	Medical Board decides controverted medical questions, provides medical examinations for certain employees.	Disablement—within 1 year after exposure (3 years for pneumoconiosis). Death—within 2 years after last exposure, or 7 years following continuous disability.	Within 2 years after death or disablement. Radiation—within 90 days after disablement or death and claimant knows should know relation to employment.	Same as for accidents.	Unlimited.	Same as for accidents, including partial disability.
KANSAS	All diseases.		Disablement—within 1 year after last exposure. Death—within 1 year after last exposure, 7 years after continuous disability.	Within 1 year after disablement or death. Radiation—within 1 year after claimant knows should know relation to employment.		Unlimited.	Same as for accidents.

Anz. *Limit on filing runs from when injury is manifest or when claimant knows should know relation to employment, tolled during incapacity.

Ga. *Byssinosis claims diagnosed before July 1, 1983, must be filed before July 1, 1984.

CHART IV □ COVERAGE OF OCCUPATIONAL DISEASES □ January 1, 1983 (continued)

JURISDICTION	NATURE OF COVERAGE	MEDICAL BOARDS	ONSET OF DISABILITY OR DEATH	TIME LIMIT ON CLAIM FILING	DEDUCTIONS FROM DEATH AWARDS	MEDICAL CARE	COMPENSATION
KENTUCKY	All diseases. Law includes federal Black Lung Act provisions.*		Death—within 3 years after last exposure or first manifestation of disease (whichever is later); 20 years after last exposure if following continuous disability.	Disability—within 3 years after last exposure or first manifestation (whichever is later); death—within 3 years after death; waived if voluntary payment. Final deadline 5 years after last exposure, except 20 years in radiation cases.		Unlimited	Same as for accidents, including partial disability. Payable by employer where last injuriously exposed.**
LOUISIANA	All diseases.		Diseases contracted in less than 1 year presumed to be nonoccupational. Presumption is rebuttable by overwhelming preponderance of evidence.	Disability—within 6 months after manifestation, occurrence of disability, or worker knows should know relation to employment. Death—within 6 months, or within 6 months after worker knows should know relation to employment.	Same as for accidents.	Unlimited	Same as for accidental injury.
MAINE	All diseases. Special provision for loss of hearing.			Within 2 years after injury or last payment or 1 year after death.*	Disability payments.	Unlimited	Same as for accidents.
MARYLAND	All diseases.*	3-member medical board appointed by Governor; findings appealable to Commission.**		Within 2 years after disablement, death, or actual knowledge of relation to employment; excusable (3 years for pulmonary dust disease).		Unlimited	Same as for accidents, including partial disability.
MASSACHUSETTS	All diseases.			Within 1 year after injury or death, excusable.	Disability payments.	2-week limit; may be extended in unusual cases.	Same as for accidents, including partial disability.
MICHIGAN	All diseases.			Within 2 years after claimant knows should know relation to employment.		Unlimited	Same as for accidents, including partial disability.
MINNESOTA	All diseases, includes radiation.			Within 3 years after employee's knowledge of cause of injury or disability.		Unlimited	Same as for accidents.
MISSISSIPPI	All diseases.			Within 2 years after injury or death.	Same as for accidents.	Unlimited	Same as for accidents.
MISSOURI	All diseases.			Within 2 years after injury, death, or last payment.*	Disability payments.	Unlimited	Same as for accidents, including partial disability.
MONTANA	All diseases.* Law includes federal Black Lung Act provisions.	Examinations made by 1 or more members of the occupational disease panel.**	Disability must occur within 120 days after date of last employment, extendable to 1 year. For silicosis, 4 years after last employment. Death must occur 1 year after last employment, 3 years if continuously disabled. Silicosis—within 4 years after last employment, 7 years if continuously disabled.	Within 1 year after claimant knows should know relation to employment; may be extended 2 more years. Within 3 years after date of last employment.	Disability payments.	Unlimited	Same as for accidents, excluding partial disability.
NEBRASKA	All diseases.			Within 2 years after injury or death.		Unlimited	Same as for accidents, including partial disability.
NEVADA	All diseases by schedule or definition.	3-physician review board selected by Department; findings conclusive.		Within 90 days after disability or 1 year after death.	Disability payments.	Unlimited	Same as for accidents. Excluded employers may elect to come under Act by voluntary compliance with rules of Commission.
NEW HAMPSHIRE	All diseases, includes radiation.			As soon as practical within 90 days after injury, death, last payment. Extended unless undue prejudice. Notice required within 2 years from date of disablement.*	Disability payments.	Unlimited	Same as for accidents.
NEW JERSEY	All diseases. Special provisions for loss of hearing.			Within 2 years after claimant knows relation to employment.		Unlimited	Same as for accidents.
NEW MEXICO	All diseases.			Within 1 year after disability or death. Radiation—within 2 years after incapacity and claimant knows should know relation to employment.	Disability payments.	Unlimited	Same as for accidents.
NEW YORK	All diseases.		Certain latent diseases must be contracted within 5 years prior to death, except radiation cases.	Within 2 years after injury or death, or 90 days after disablement and claimant's knowledge, for slow starting diseases. Special provision for radiation cases.		Unlimited	Same as for accidents, including partial disability. Also, partial disability for silicosis and other dust diseases.*

Ky. *Black lung claimant must file under state and federal law.

**Where disablement occurs after 5 years' exposure or results from coal miner's pneumoconiosis, benefits may be apportioned among employer of last exposure and several state funds.

Maine. *Time for filing claims for disability due to radiation does not begin to run until claimant knows should know causal connection, and worker need not be exposed for minimum 60-day period.

Md. *Except black lung cases eligible for benefits under federal law.

**Board sunsets June 1, 1983.

Mo. *3 years if no injury report filed. Time limits do not begin to run until injury is reasonably apparent.

Mont. *Employee may reject in writing.

**Employer may require physical examination of employees. Employer is not liable for future disabilities of employee who has occupational disease* but is not disabled.

N.H. *Date of injury is last date of exposure or first date worker knows should know relation to employment.

N.Y. *Disability or death due to dust reimbursed from special fund for all payments over 104 weeks.

CHART IV □ COVERAGE OF OCCUPATIONAL DISEASES □ January 1, 1983 (continued)

JURISDICTION	NATURE OF COVERAGE	MEDICAL BOARDS	ONSET OF DISABILITY OR DEATH	TIME LIMIT ON CLAIM FILING	DEDUCTIONS FROM DEATH AWARDS	MEDICAL CARE	COMPENSATION
NORTH CAROLINA	All diseases, includes radiation. Special provisions for loss of hearing.	Board of 3 appointed by Commission. Findings advisory.	Death within 2 years after injury, or 6 years if totally disabled.	Within 2 years after disablement, death, or last payment. Radiation—within 2 years after incapacity and claimant knows should know relation to employment. Brown lung claims compensable regardless of last exposure, effective 6-25-80-4-30-81.*		Unlimited	Same as for accidents, including partial disability. Unpaid death benefits of 104 weeks paid to victims' survivors in silicosis or asbestosis cases plus 300 additional weeks if totally disabled.**
NORTH DAKOTA	All diseases. Law includes federal Black Lung Act provisions.		Disability within 1 year after injury, if disability before death, death within 1 year after disability ceases; death must occur within 6 years from injury.	Within 1 year after injury or death.		Unlimited	Same as for accidents, including partial disability.
OHIO	All diseases.	Medical specialist in specific cases. Findings advisory.		Within 2 years after disability or death or within 6 months after diagnosis (whichever is later).		Unlimited	Same as for accidents. No partial disability for silicosis, asbestosis, or coalminer's pneumoconiosis.
OKLAHOMA	All diseases.		Within 5 years from date of filing or last payment.	Within 18 months after last exposure or manifestation and diagnosis by a physician, or within 3 months after disablement.		Unlimited	Same as for accidents.
OREGON	All diseases.			Within 5 years after last exposure and within 180 days after disablement or physician informs claimant of disablement, 10 years after last exposure for radiation disease.*		Unlimited	Same as for accidents, including partial disability.
PENNSYLVANIA	All diseases.	Examination by impartial physician may be ordered.	Within 300 weeks after last exposure.	Within 3 years after disablement, death, or last payment. Radiation—within 3 years after the employee knows should know relation to employment.		Unlimited plus vocational rehabilitation.	Same as for accidents.
PUERTO RICO	All diseases.		Disability—within 1 year after last exposure, except diseases with longer latency periods.	Within 3 years from time employee learns nature of disability.		Unlimited	Same as for accidents.
RHODE ISLAND	All diseases.	Director of Labor appoints impartial physician.		Within 3 years after disability or death. Radiation—within 1 year after claimant knows should know relation to employment.	Disability payments.	\$600-\$1,200 limit, may be extended.	Same as for accidents, including partial disability.
SOUTH CAROLINA	All diseases. Law includes special provisions for radiation.	Medical Board determines controverted medical questions; pulmonary cases may be referred to pulmonary specialist of state medical universities.		Within 2 years after disability or definitive diagnosis and knowledge or 1 year after death. Radiation—within 1 year after claimant knows should know relation to employment.	Disability payments.	Unlimited.	Same as for accidents, including partial disability.
SOUTH DAKOTA	All diseases.* includes radiation.	Division may contract with physicians for reports.		Within 2 years after disability or death. Radiation—within 1 year after disability and claimant knows relation to employment.	Disability payments.	Unlimited.	Same as accidents with limitations as specified but increasing monthly until maximum is reached.
TENNESSEE	All diseases. Law includes federal Black Lung Act provisions.			Within 1 year after incapacity or death.	Same as for accidents.	Unlimited.	Same as accident, including partial disability.
TEXAS	All diseases.	Provides for medical committee to pass on controverted questions and with power to order examinations.		Within 6 months after injury or first distinct manifestation, 6 months after death. May be extended.	Same as for accidents.		Same as for accidents.
UTAH	All diseases, special provision for loss of hearing. Law includes federal Black Lung Act provisions.	Commission appoints medical panel of 1 or more to report on extent of disability.	Partial disability—within 2 years after last exposure.	Within 1 year after cause of action arises, 1 year after death. Partial disability—within 2 years. Radiation—within 1 year after claimant knows should know relation to employment.	Disability payments.	Unlimited.	Same as for accidents. Temporary total disability limited to 52 weeks. Permanent partial disability limited to 104 weeks.
VERMONT	All diseases.		Disablement—within 5 years after last exposure. Death—during employment or after continuous disability beginning within 5 years after last exposure, but no later than 12 years after last exposure. Does not apply to radiation.	Within 1 year after discovery, death, loss of damage suit, or removal of incapacity. Radiation—within 1 year after first incapacity and worker knew should have known relation to employment.		Unlimited.	Same as for accidents, unless exception stated.
VIRGIN ISLANDS	All diseases.		Occupational deafness—within 6 months after last exposure.	Within 60 days after disability.		Same as for accidents.	Same as for accidents.
VIRGINIA	All diseases. Law includes federal Black Lung Act provisions.			Within 2 years after diagnosis is first communicated to worker, or within 5 years after last exposure, whichever is first.* Within 3 years after last payment or death.	Disability payments.	Unlimited.	Same as for accidents, including partial disability.
WASHINGTON	All diseases.			Within one year after physician's notice to claimant.		Unlimited.	Same as for accidents, including partial disability.

N.C. *Asbestos—within 10 years after last exposure or death following continuous disability.

**The portion of incapacity caused by non-occupational factors is not compensable. *Morrison v. Burlington Industries*.

Ore. *Within 40 years after last exposure and 180 days after disability or knowledge of disability for asbestos.

Pa. *Where disablement develops only after 5 years' exposure, liability is borne 60% by employer and 40% by state.

S.D. *Heart and lung diseases arising out of and in the course of employment are deemed occupational diseases.

Va. *Within 7 years after exposure in case of byssinosis. 5-year limitation does not apply to cataract of the eye, skin cancer, radium disability, ulceration, undulant fever, angiosarcoma of the liver due to vinyl chloride exposure, or mesothelioma.

CHART IV □ COVERAGE OF OCCUPATIONAL DISEASES □ January 1, 1983 (continued)

JURISDICTION	NATURE OF COVERAGE	MEDICAL BOARDS	ONSET OF DISABILITY OR DEATH	TIME LIMIT ON CLAIM FILING	DEDUCTIONS FROM DEATH AWARDS	MEDICAL CARE	COMPENSATION
WEST VIRGINIA	All diseases. Law includes special provisions for occupational pneumoconiosis.	Occupational Pneumoconiosis Board appointed by Commissioner determines medical questions.		Within 3 years after knowledge or last exposure. Within 2 years after death.		Unlimited.	Same as for accidents, including partial disability. In death cases, \$80 per month to dependent father and mother.
WISCONSIN	All diseases. Special provision for loss of hearing.	May appoint independent medical expert in doubtful cases.		Unlimited. After 12 years claim may be filed with state fund.		Unlimited.	Same as for accidents, including partial disability (216 week maximum for hearing loss).
WYOMING	All diseases.	Yes.		Within 1 year after diagnosis or 3 years after exposure, whichever is first. Within 1 year after death. Radiation—within 1 year after diagnosis.	Disability payments.	Unlimited.	Same as for accidents.
F.E.C.A.	All diseases.			Within 3 years after injury or death. Extended for cause.		Unlimited.	Same as for accidents.
LONGSHORE ACT	All diseases.			Within 1 year after injury or death.		Unlimited.	Same as for accidents.
ALBERTA	All diseases.	Independent medical board may be appointed to report on medical questions and extent of disability.		Within 1 year after injury or death, excusable. Silicosis—disability or death following significant exposure.		Unlimited.	Same as for accidents.
BRITISH COLUMBIA	All diseases.	Medical review panel appointed by Lt.-Gov. in Council. Decision final as to medical evidence.		Within 1 year after disablement or death, excusable within 3 years.*		Unlimited.	Same as for accidents.
MANITOBA	All diseases.	Medical or neurosis review panel reports on medical questions. Special panel for silicosis.		Within 1 year after injury or death. Silicosis—1 year after last exposure, if continuously exposed; within 2 years after exam free of disease.		Unlimited.	Same as for accidents.
NEW BRUNSWICK	All diseases.			Within 1 year after injury or 6 months after death.		Unlimited.	Same as for accidents.
NEWFOUNDLAND	All diseases.	Committee of medical referees appointed by Board. Decision final as to medical evidence.	Disablement within 10 years after retirement.	Within 6 months after injury or death.		Unlimited.	Same as for accidents.
NORTHWEST TERRITORIES	All diseases.	Board may require examination by impartial physician.		Disability—within 1 year after injury, excusable. Death—within 3 years after last employment and within 3 years after death.		Unlimited.	Same as for accidents.
NOVA SCOTIA	All diseases.	Board may appoint medical board to advise on silicosis and coal miner's pneumoconiosis cases.	Disablement or death within 1 year after last employment (no limit for radiation).	Within 6 months after injury or death. Silicosis or coal miner's pneumoconiosis—within 5 years after last employment and within 1 year after discovery of relation to employment, excusable but paid only from filing date.		Unlimited.	Same as for accidents.
ONTARIO	All diseases.			Within 6 months after injury or death, excusable.		Unlimited.	Same as for accidents.
PRINCE EDWARD ISLAND	All industrial diseases.		Disablement within 1 year after last exposure.	Within 6 months after injury or death.		Unlimited.	Same as for accidents.
QUEBEC	All diseases.		Disablement within 1 year after last exposure.	Within 6 months after injury or death.		Unlimited.	Same as for accidents except for silicosis or coalminer's pneumoconiosis.
SASKATCHEWAN		Medical panel issues final decision on disputed medical questions.	Disablement with 1 year after last exposure.	Within 6 months after injury or death.		Unlimited.	Same as for accidents.
YUKON TERRITORY	All diseases.	Disputes may be referred to 1 practitioner for decision.	Death—3 years after last exposure*.	Disability—1 year after last exposure*.		Unlimited.	Same as for accidents.
CANADIAN MERCHANT SEAMEN'S ACT	All diseases.	Disablement in the course of employment; otherwise than as a result of an accident is compensated as for an accident.					

B.C. *After 3 years, compensation is payable only from date of filing.

Yukon *Within 3 years after accident in just case if proof is filed with Commissioner.

PART 2

BENEFITS PROVIDED

Because workers' compensation imposes an absolute (but limited) liability upon the employer for employee disabilities caused by the employment, the benefits payable to the injured employee attempt to cover most of the worker's economic loss. This loss includes both loss of earnings and extra expenses associated with the injury.

Specifically, the benefits provided are:

- **Cash benefits**, which include both impairment benefits and disability benefits. The former are paid for certain specific physical impairments, while the latter are available whenever there is an impairment and a wage loss.
- **Medical benefits**, which are usually provided without dollar or time limits. In the case of most workplace injuries, only medical benefits are provided since substantial impairment or wage loss is not involved.
- **Rehabilitation benefits**, which include both medical rehabilitation and vocational rehabilitation for those cases involving severe disabilities.

CASH BENEFITS

In considering workers' compensation income or cash benefits—which replace employee loss of income or earning capacity due to occupational injury or disease—four classifications of disability are used: (1) temporary total, (2) permanent total, (3) temporary partial, and (4) permanent partial. Permanent partial is divided into "nonscheduled" and "scheduled" disabilities.

Most cases involve *temporary total disability*. That is, the employee—although totally disabled during the period when benefits are payable—is expected to recover and return to employment. *Permanent total disability* generally indicates that the employee is regarded as totally and permanently unable to perform gainful employment.

INCOME BENEFITS FOR PERMANENT AND TEMPORARY TOTAL DISABILITY: CHART V

Income or cash benefits payable under either temporary total or permanent total disability are shown in Chart V. For computing weekly benefit payments, a formula—expressed as a percentage of wage—is used. In most states limitations are placed on maximum and minimum benefits payable weekly; some states also limit the total number of weeks and total dollar amount of benefit eligibility. Where there is permanent total disability most states provide payments extending through the employee's lifetime.

For either temporary total or permanent total disability the wage-replacement percentage in each jurisdiction is the same. However, in permanent total disability cases the time limits tend to be longer and the total dollar amounts higher than in cases of temporary total disability. Some states provide additional amounts for dependents and other benefits. Allowances for dependents are charted as a range in the Maximum Weekly Payment and Notations columns.

PARTIAL DISABILITY

Most awards and the preponderance of dollars paid out as income benefits are either for temporary total or permanent partial disability. As partial disabilities involve current earnings or wage-earning ability, in many states weekly benefit payments for temporary or permanent *partial disabilities* of the "non-scheduled" type are based on a wage-loss replacement percentage. The percentage applies to the difference between wages earned before and after injury. In some states "non-scheduled" permanent partial disabilities are compensated as a percentage of the total disability cases.

INCOME BENEFITS FOR SCHEDULED INJURIES: CHART VI

Chart VI indicates maximum amounts payable in cases of "sched-

uled" injuries. Listed by law, these injuries involve loss—or loss of use of—specific body members, where wage loss based on nature of impairment is presumed. In most jurisdictions the actual amount payable is a specific number of weeks of benefits (based on the member involved) multiplied by the weekly benefit amount (based on earnings at time of injury).

The chart also indicates whether the "scheduled" award is in addition to any payment otherwise payable to the employee while he may be temporarily totally disabled (healing period). Some states limit the amount payable for such periods of temporary total disability.

The Canadian statutes do not provide schedules of specific injuries. Cases are decided individually using medical impairment ratings as guidelines.

SURVIVOR BENEFITS FOR FATAL INJURIES: CHART VII

Benefits payable in the event of fatal injuries—comprising more than 14 percent of all total income benefits—are shown in Chart VII. The benefits provided include a burial allowance as well as a proportion of the worker's former weekly wages.

Although death is the ultimate work-related tragedy, the economic loss associated with death cases is often less than that of a permanent total disability. Because of these considerations, death benefits are generally paid to the spouse until remarriage and to the children until a specified age. In addition, some laws provide a maximum benefit total expressed as a maximum period for the payment of benefits. Figures for one child only reflect compensation if sole survivor.

MEDICAL BENEFITS, WAITING PERIOD: CHART VIII

Medical Benefits—amounting to about 29 percent of all workers' compensation benefits paid—are shown in Chart VIII. In all U.S. jurisdictions and all Canadian provinces unlimited medical benefits are provided either specifically by statute or by administrative discretion.

Waiting Periods—Statutes provide that a waiting period must elapse during which income benefits are not payable. This waiting period affects only compensation; medical and hospital care are provided immediately. If disability continues for a certain number of days or weeks, most laws provide for payment of income benefits retroactive to the date of injury. Statutory provisions for waiting periods are summarized in Chart VIII.

REHABILITATION BENEFITS: CHART IX

Mutual interests of disabled employees and employers generally favor starting rehabilitation as soon as possible. Although rehabilitation is considered an integral part of complete medical treatment, its uses may extend beyond this (for example, where it includes vocational rehabilitation and retraining).

Specific rehabilitation provisions now in workers' compensation laws are outlined in Chart IX. However, rehabilitation is provided in all states even if unspecified in the law. Maintenance allowance amounts and special fund sources to finance rehabilitation also are indicated.

Insurance carriers and many employers having medical departments are leaders in carrying on rehabilitation for the industrially injured. Likewise, many major industries have comprehensive programs for employment of the physically handicapped. Smaller industries maintain modified programs for placement of disabled individuals in congenial tasks. All of these private programs help employees and employers alike.

The Federal Vocational Rehabilitation Act is now effective in all states; it includes federal funds to aid states in vocational rehabilitation of the industrially disabled.

CHART V

INCOME BENEFITS FOR TOTAL DISABILITY

January 1, 1983

JURISDICTION	PERCENT OF WAGES	MAXIMUM WEEKLY PAYMENT		MINIMUM WEEKLY PAYMENT		TIME LIMIT	AMOUNT LIMIT ²	AUTOMATIC COST OF LIVING INCREASE	OFFSETS ³	NOTATIONS
		AMOUNT	RATE	AMOUNT	RATE					
ALABAMA	66-2-3	\$174.00	66-2-3% SAWW	\$65.00 ¹	25% SAWW ¹	TT—300 weeks PT—Disability	TT—\$52,200			Annual increase in maximum effective July 1 *
ALASKA	66-2-3	996.00	200% SAWW	65.00 ¹		Disability			Social Security unemployment compensation	Annual increase in maximum effective January 1
AMERICAN SAMOA	66-2-3					Disability				Compensation increased 10% if installment without award unpaid after 14 days. 20% if installment following award unpaid after 10 days.
ARIZONA	66-2-3	203.86				TT—Disability PT—Life				Benefits payable monthly. Additional \$10 monthly if 1 or more total dependents, not subject to maximum.
ARKANSAS	66-2-3	194.00 [*]		15.00		TT—450 weeks PT—Disability	TT—69,300 [*]		Unemployment compensation	15% penalty for employer's violation of safety laws, payable to Second Injury Fund **
CALIFORNIA	66-2-3	196.00 [*]		84.00 [*]		TT—Disability PT—Life		TT—after 2 years		50% increased compensation if injury due to employer's serious, willful misconduct
COLORADO	66-2-3	283.71	80% SAWW			TT—Disability PT—Life			Social Security	Annual increase in maximum effective July 1. Compensation increased 50% if employer failed to comply with insurance provisions. Compensation decreased 50% if injury results from worker's failure to obey safety regulations or from intoxication.
CONNECTICUT	66-2-3	326.00 to 489.00	100% SAWW	65.00 [*]	80% SAWW	Disability		October 1		Annual increase in maximum effective October 1. Additional \$10 weekly per dependent child under 18, maximum 50% of basic benefit or 75% of wage (whichever is less). Compensation increased to 75% of wages if employer violated OSHA regulation **
DELAWARE	66-2-3	206.45	66-2-3% SAWW	69.47 ¹	22-2-9% SAWW ¹	Disability				Annual increase in maximum effective June 1.
DISTRICT OF COLUMBIA [*]	66-2-3 up to 80% of spendable earnings [*]	396.78 [*]	100% SAWW [*]	99.20 [*]	25% SAWW [*]	Disability [*]		PT—October 1, maximum 5% [*]	Social Security employer-funded pension	Annual increase in maximum effective October 1 [*]
FLORIDA	66-2-3	271.00	100% SAWW	20.00		TT 350 weeks PT—Disability	TT—\$94,850		Unemployment compensation, Social Security	Annual increase in maximum effective January 1. Compensation increased 10% if installment unpaid after 14 days.*
GEORGIA	66-2-3	135.00 [*]		25.00 ¹		Disability				Board may assess \$500 penalty for refusal, unreasonable delay, or willful neglect to make payment **
GUAM	66-2-3	140.00	66-2-3% SAWW	50.00 ¹		Disability	40,000			Compensation increased 10% for late payment without award, 20% if award.
HAWAII	66-2-3	266.00	100% SAWW	TT—66.50 [*] PT—66.50	TT—25% SAWW [*] PT—25% SAWW	Disability		PT—injuries prior to June 18, 1980		Annual increase in maximum effective January 1. Compensation may be increased 10% for failure to pay within 31 days after decision or award, or within 10 business days for uncontested temporary total disability case.
IDAHO	60	238.50 to 331.25	90% SAWW	119.25	45% SAWW	Disability		After 52 weeks		Annual increase in maximum effective January 1. For first 52 weeks benefit is 60% of worker's wages if there are no dependent children under 18, after 52 weeks benefit is 60% of SAWW. Benefit is increased 7% of SAWW per dependent child (up to 5) but may not exceed 90% of wages. 8% interest on late payments.
ILLINOIS	66-2-3	446.40	133-1-3% SAWW	TT—100.90 [*] PT—167.40	PT—50% SAWW	TT—Disability PT—Life		PT—July 15 of 2nd year		Semiannual increases in maximum effective January 15 and July 15 **
INDIANA	66-2-3	140.00		50.00 ¹		500 weeks	70,000			After 500 weeks, additional benefits are payable from second injury fund in 150-week increments *
IOWA	80% of spendable earnings	542.00	200% SAWW	(-)		Disability				Annual increase in maximum effective July 1. Benefits increased 50% if late or stopped without good cause.
KANSAS	66-2-3	204.00	75% SAWW	25.00		Disability	TT— 75,000 PT—100,000 (includes TT)			Annual increase in maximum effective July 1. Compensation may be increased up to \$100 per week past due (plus up to \$25 per week past due for failure to pay medical bill).
KENTUCKY	66-2-3 [*]	277.66	100% SAWW	56.53 ¹	20% SAWW ¹	Disability				Annual increase in maximum effective January 1. Compensation increased or decreased 15% if injury caused by safety violation. 12% interest on late payments.
LOUISIANA	66-2-3	204.00	66-2-3% SAWW	61.00 ¹	20% SAWW ¹	Disability			PT—Social Security	Annual increase in maximum effective September 1

¹Actual weekly wage if less.²Amounts shown in italics have been calculated.³Social Security offsets generally apply by formula up to 50% of basic benefit.

Alab. *Compensation may be increased up to 10% for failure to pay within 30 days after due.

Ark. *Effective 3-1-82. Amounts over \$75,000 are payable from Death and Permanent Total Disability Bank Fund.

**10% interest on late installments.

Calif. *Effective 1-1-84, maximum is \$224.00 and minimum is \$112.00.

Conn. *80% of average weekly wages, if less.

**12% interest benefit added if undue delay in payment. 6% interest added if undue delay in adjustment (4 weeks presumed undue delay).

D.C. *Effective 7-26-82. Maximum is no less than \$396.78, minimum is no less than \$99.20. Benefits for D.C. government employees are similar to F.E.C.A. (maximum—\$812.03, minimum—\$139.60).

Fla. *Compensation increased 20% if unpaid 30 days after award.

Ga. *Effective 4-22-82.

**Income payable without award increased 15% if not paid within 14 days unless claim is controverted or Board excuses. Awarded benefits increased 20% if not paid within 20 days unless Board grants review.

Hawaii *Actual wages if less, but no less than \$38.

Ill. *Minimum TT benefit is \$100.90 if unmarried and ranges up to \$124.30 if 4 or more dependents. In all cases claimant receives actual weekly wage if less.

**TT benefits may be increased \$10 per day, up to \$2,500, for unreasonable delay in payment. 14 days is presumed unreasonable. Compensation may be increased 50% for unreasonable or vexatious delay in payment. Compensation may be increased 25% for employer's willful violation of safety standard.

Ind. *Award is increased 5% if employer loses on court appeal, court may increase to 10%.

Iowa *Minimum earnings presumed to be 35% of SAWW (- \$94.85); benefits may not exceed worker's spendable earnings.

Ky. *80% of AWW during rehabilitation.

CHART V □ INCOME BENEFITS FOR TOTAL DISABILITY □ January 1, 1983 (continued)

JURISDICTION	PERCENT OF WAGES	MAXIMUM WEEKLY PAYMENT		MINIMUM WEEKLY PAYMENT		TIME LIMIT	AMOUNT LIMIT ²	AUTOMATIC COST OF LIVING INCREASE	OFFSETS ³	NOTATIONS
		AMOUNT	RATE	AMOUNT	RATE					
MAINE	66-2-3	\$396.48	166-2-3% SAWW	\$25.00		Disability		July 1	Unemployment compensation	Annual increase in maximum effective July 1. Compensation may be increased 10% for failure to pay uncontroverted claim within 10 days.
MARYLAND	66-2-3	292.00	100% SAWW	TT—50.00 ¹ PT—25.00 ¹		Disability		1-1		Annual increase in maximum effective January 1. If permanent disability exceeds 50% of whole body, worker receives additional compensation from Subsequent Injury Fund after completion of payments by employer.
MASSACHUSETTS	66-2-3	297.85	100% SAWW	40.00 ¹		Disability	TT—\$74,463 ¹			Annual increase in maximum effective October 1. Additional \$6 weekly per dependent if total benefit does not exceed \$150 or 100% of wages. ¹
MICHIGAN	80% of spendable earnings	330.00	90% SAWW	PT—91.39	PT—25% SAWW	Disability ¹		PT injury prior to 1-1-82	Disability pension Social Security retirement ¹	Annual increase in maximum effective January 1. Additional \$50 per day for award unpaid after 30 days. Maximum \$1,500.
MINNESOTA	66-2-3	290.00	100% SAWW	145.00 ¹	50% SAWW ¹	Disability		Anniversary of injury	Social Security after \$25,000 paid ¹	Annual increase in maximum effective October 1. Late payment may be increased 10% if inexcusably delayed, plus interest.
MISSISSIPPI	66-2-3	112.00 ¹		25.00			450 weeks	50,400 ¹		Additional rehabilitation allowance up to \$10 weekly for 52 weeks.
MISSOURI	66-2-3	189.49	66-2-3% SAWW	40.00		TT—400 weeks PT—Life	TT—75,796			Annual increase in maximum effective July 1. 8% interest for late payments. ¹
MONTANA	66-2-3	263.00	100% SAWW			Disability ¹			Social Security	Annual increase in maximum effective July 1. Compensation may be increased 20% if payment unreasonably delayed or refused.
NEBRASKA	66-2-3	180.00		49.00 ¹		Disability				
NEVADA	66-2-3	295.96	100% SAWW			TT—Disability PT—Life			Social Security	Benefits payable monthly. Annual increase in maximum effective July 1.
NEW HAMPSHIRE	66-2-3 ¹	256.00	100% SAWW	30.00 ¹		Disability ¹		July 1		Annual increase in maximum effective July 1. Double compensation if employer violated prior recorded safety standard.
NEW JERSEY	70	236.40	75% SAWW	63.00	20% SAWW	TT—400 weeks PT—Life	TT—94,400		Social Security	Annual increase in maximum effective January 1. After 450 weeks at reduced rate if employed, at full rate if not able to be rehabilitated.
NEW MEXICO	66-2-3	271.76	100% SAWW	36.00 ¹			600 weeks	163,056		Annual increase in maximum effective January 1. 10% additional compensation payable by employer for failure to provide safety devices.
NEW YORK	66-2-3	215.00		TT—20.00 ¹ PT—30.00 ¹		Disability				Persons receiving PT benefits may collect full compensation and wages if working, but not in excess of pre-injury wage.
NORTH CAROLINA	66-2-3	248.00	100% SAWW	30.00		TT—Disability PT—Life				Annual increase in maximum effective January 1.
NORTH DAKOTA	66-2-3	281.00 plus dependents	100% SAWW	157.00 ¹	60% SAWW ¹	Disability			Social Security	Annual increase in maximum effective July 1. Additional \$5 weekly per dependent child under 18. Total benefits may not exceed claimant's net take-home pay.
OHIO	72—first 12 weeks 66-2-3—after 12 weeks	321.00	100% SAWW	TT—107.00 ¹ PT—160.50 ¹	TT—33-1-3% SAWW ¹ PT—50% SAWW ¹	TT—Disability ¹ PT—Life				Annual increase in maximum effective January 1. If PT benefit plus Social Security are less than \$151.90 weekly, Disabled Workers' Relief Fund pays difference amount increased annually by increase in Consumer Price Index.
OKLAHOMA	66-2-3	196.00	66-2-3% SAWW	30.00 ¹		TT—300 weeks PT—Disability	TT—58,800			Annual increase in maximum effective November 1. TT may be extended to 500 weeks.
OREGON	66-2-3	304.60 to 329.60	100% SAWW	50.00 ¹		Disability			PT—Social Security	Annual increase in maximum effective July 1. Additional \$5 weekly per dependent (up to 5). ¹
PENNSYLVANIA	66-2-3	306.00	100% SAWW	153.00 ¹	50% SAWW ¹	Disability				Annual increase in maximum effective January 1.
PUERTO RICO	66-2-3	TT—45.00 PT—31.25		TT—10.00 PT—12.50		TT—31½ weeks PT—Life	TT—14,040 PT—\$18,900			Compensation doubled if due to employer's violation of safety or health law or regulation.
RHODE ISLAND	66-2-3	297.00 plus dependents	100% SAWW	30.00		Disability				Annual increase in maximum effective September 1. Additional \$9 per dependent child under 18. Total benefit may not exceed 80% of pre-injury wages. ¹
SOUTH CAROLINA	66-2-3	254.38	100% SAWW	25.00			500 weeks	127,190		Annual increase in maximum effective January 1.
SOUTH DAKOTA	66-2-3	227.00	100% SAWW	114.00 ¹	50% SAWW ¹	TT—Disability PT—Life				Annual increase in maximum effective July 1.
TENNESSEE	66-2-3	136.08 ¹		15.00		TT—Disability PT—550 weeks ¹	54,400			After 400 weeks PT benefit is reduced to \$15.

Maine: *Carrier may be assessed up to \$25 per day for failure to pay award within 10 days. Added benefits during rehabilitation—\$35 weekly.

Mo: *Benefits increased October 1 for persons injured any time during July 1, 1965, through June 30, 1978, and receiving PT benefits in July, 1973.

Mass: *Actual wages if less, but no less than \$20 if working at least 15 hours a week.

**250 times SAWW, includes permanent partial disability.

***Double compensation if injury due to employer's serious and willful misconduct. If no benefits are paid prior to final decision of claim, award is based on benefits in effect at time of decision instead of date of injury.

Mich: *Conclusive presumption of PT disability does not extend beyond 800 weeks from injury; thereafter determined in accordance with facts.

**Benefits reduced 5% a year after age 65 unless claimant is receiving Social Security or employer-funded pension or disability insurance.

Miss: *Actual wages if less, but no less than 20% of SAWW, \$58.00 through 9/30/83. After 104 weeks' total disability, supplementary benefits bring compensation to 65% of SAWW, \$188.50 through 9/30/83.

**Other government disability benefits from same injury also offset.

Miss: *Effective 7-1-81.

Mo: *Compensation increased 15% if injury caused by failure to comply with statute or order, decreased 15% if caused by worker's failure to use safety device.

Mont: *Compensation terminates upon receipt of Social Security retirement benefits.

N.H.: *If wage is less than \$30, benefit is actual wage. If wage \$30-\$35, benefit is \$30. If wage \$35-\$40, benefit is \$32. Benefit increases in \$3 increments per \$5 wage up to \$135. If wage \$135-\$138, benefit is \$92. If wage is over \$138, benefit is 66-2-3% of wage up to maximum.

**After six successive years of payment, additional payments may be made only on order of the commissioner upon application by the employee and to the employer, if employer objects, a medical panel is provided for.

Ohio: *After 200 weeks claimant examined to determine if disability is permanent.

Ore: *90% of actual wages, if less.

**Employer may be sued for damages for failure to comply with posted notice of violation of safety code.

Pa: *90% of wages if less, but no less than 33-1-3% of SAWW (\$102.00, effective 1-1-83).

R.I.: *No compensation for PT disability if worker is earning pre-injury wages.

Tenn: *Effective July 1, 1982.

**From date injury is determined to be permanent.

CHART V □ INCOME BENEFITS FOR TOTAL DISABILITY □ January 1, 1983 (continued)

JURISDICTION	PERCENT OF WAGES	MAXIMUM WEEKLY PAYMENT		MINIMUM WEEKLY PAYMENT		TIME LIMIT	AMOUNT LIMIT ²	AUTOMATIC COST OF LIVING INCREASE	OFFSETS ³	NOTATIONS
		AMOUNT	RATE	AMOUNT	RATE					
TEXAS	66-2-3	\$182.00	(1")	\$32.00	(1")	401 weeks	\$72.982			Annual increase in maximum effective September 1."
UTAH	66-2-3	TT—284.00 PT—241.00	TT—100% SAWW PT—85% SAWW	45.00 ¹		Disability				Annual increase in maximum effective July 1. Additional \$5 if spouse, plus \$5 per dependent child under 18 (up to 4); total benefit may not exceed maximum."
VERMONT	66-2-3	243.00 plus dependents	100% SAWW	122.00 ¹	50% SAWW ¹	Disability		July 1		Annual increase in maximum effective July 1. Additional \$10 per dependent child under 21; total benefits may not exceed pre-injury wages."
VIRGIN ISLANDS	66-2-3	TT—153.00 ¹ PT—205.54 ¹	TT—66-2-3% SAWW ¹ PT—90% SAWW ¹	60.00 ¹		Disability		After 2 years on January 1		Annual increase in maximum effective January 1. Total disability benefits begin after medical and vocational rehabilitation end. Compensation increased 15% for injury caused by employer's failure to obey safety order."
VIRGINIA	66-2-3	253.00	100% SAWW	63.25 ¹	25% SAWW ¹	TT—500 weeks PT—Disability	TT—126.500	October 1"		Annual increase in maximum effective July 1. Compensation increased 20% for failure to pay within 2 weeks after due."
WASHINGTON	60	245.81	75% SAWW	42.69"		Disability		July 1	Social Security under age 62	Benefits payable monthly. Annual increase in maximum effective July 1. Additional 5% of wages for spouse, plus 2% of wages per dependent child (up to 5), up to maximum."
WEST VIRGINIA	70	300.61	100% SAWW	100.21	33-1-3% SAWW	TT—208 weeks PT—Life	TT—62.735			Annual increase in maximum effective July 1."
WISCONSIN	66-2-3	294.00	100% SAWW	30.00		TT—Disability PT—Life			Social Security	Annual increase in maximum effective January 1."
WYOMING	TT—66-2-3	TT—350.07 PT—233.38 plus dependents	TT—100% SAWW PT—66-2-3% SAWW	TT—43.38 PT—233.38	PT—66-2-3% SAWW	TT—Disability PT—Life	(-)			Benefits payable monthly. Quarterly increases in maximum effective January 1. April 1, July 1, and October 1. PT benefit fixed at 66-2-3% of SAWW plus lump sum per child calculated at \$60 per month until age 18 (21 if invalid)."
F.E.C.A.	66-2-3 or 75	809.17 to 910.31	66-2-3% or 75% of highest rate for GS-15	140.71 ¹	66-2-3% or 75% of lowest rate for GS-2 ¹	TT—Disability PT—Life		October 1		Benefits payable monthly. Increase in maximum effective 12-16-82. Increase in minimum effective 10-2-83. Higher percentage payable if 1 or more dependent."
LONGSHORE ACT	66-2-3	524.70"	200% NAWW"	131.16 ¹	50% NAWW ¹	Disability		PT—October 1		Annual increase in maximum effective October 1."
ALBERTA	90% of weighted net income	496.20		TT—141.53 ¹ PT—141.53		TT—Disability PT—Life				PT payable monthly. Maximum annual earnings is 150% of provincial average industrial earnings (\$40,000). Annual increase in maximum effective January 1."
BRITISH COLUMBIA	75	376.59		174.52 ¹		TT—Disability PT—Life		January 1 and July 1		PT payable monthly. Maximum annual earnings \$26,182. Annual increase in maximum effective January 1."
MANITOBA	75	360.58		TT—109.62 ¹ PT—109.62		TT—Disability PT—Life			Canada Pension	PT payable monthly. Maximum annual earnings \$25,000. Annual increase in maximum effective January 1."
NEW BRUNSWICK	90% of weighted net income	331.25 to 373.28"		TT—90.00 ¹ PT—115.38 ¹		TT—Disability PT—Life				PT payable monthly. Maximum annual earnings is 150% of provincial average industrial earnings (\$25,700). Annual increase in maximum effective January 1."
NEWFOUNDLAND	75"	656.25		TT—137.09 ¹ PT—137.09"		TT—Disability PT—Life				PT payable monthly. Maximum annual earnings \$45,500, effective 1-1-83. Board may raise compensation as it deems equitable."
NORTHWEST TERRITORIES	75	334.62		147.23 ¹		TT—Disability PT—Life				Benefits payable monthly. Maximum annual earnings \$20,400, effective 1-1-81."
NOVA SCOTIA	75	274.04 plus dependents		99.00 ¹		TT—Disability PT—Life		PT—January 1		PT payable monthly. Maximum annual earnings \$19,000, effective 1-1-82. Additional \$28.62 weekly per child; total benefit may exceed maximum."
ONTARIO	75	320.19		156.00 ¹		TT—Disability PT—Life		TT—after 12 months		PT payable monthly. Maximum annual earnings \$22,200, effective July 1, 1981."
PRINCE EDWARD ISLAND	75	245.19		60.00"		TT—Disability PT—Life				Maximum annual earnings \$17,000, effective January 1, 1983."
QUEBEC	90% of weighted net income	306.86 ¹ to 346.12"		35.00 ¹		TT—Disability PT—Life		January 1		Maximum annual earnings is 150% of provincial average industrial earnings (\$29,000). Annual increase in maximum effective January 1."
SASKATCHEWAN	75	418.27		185.77"		TT—Disability PT—Life			Canada Pension after 1 year	PT payable monthly. Maximum annual earnings \$29,000, effective 1-1-83. After 2 years' disability, an amount equal to 10% of compensation is set aside to purchase annuity for benefits after age 65."
YUKON TERRITORY	75	350.58		115.23 ¹		TT—Disability PT—Life		January 1		Maximum annual earnings \$25,000. Annual increase in maximum effective January 1."
CANADIAN MERCHANT SEAMEN'S ACT	75	288.46		90.00		TT—Disability PT—Life				Benefits payable monthly. Maximum annual earnings \$20,000. Gov.-in-Council may raise benefits to level paid in maritime provinces."

Texas "For life in case of amputation or paralysis of two limbs, loss of vision in both eyes, or permanent insanity."
"Maximum increased \$7 and minimum increased \$1 per \$10 increase in SAWW."

Utah "Disability beyond 312 weeks is payable from Second Injury Fund, minimum \$100 weekly."

Vt. "PT benefits payable at least 330 weeks, after temporary disability benefits cease. After 330 weeks, PT benefits continue while there is lost earning capacity."

"Benefits may be disallowed if injury results from worker's failure to use safety device."

V.I. "During vocational rehabilitation, income benefits are 75% of AWW, maximum SAWW, minimum \$75 or actual wages if less."

Va. "500-week limit for certain PT cases."

"Recipient of Social Security ineligible for cost of living increases."

Wash. "Plus \$8.53 for first child, \$7.15 for second child, \$5.30 each for third through fifth children, and \$6.92 for spouse."
"50% penalty payable to Accident Fund for dependent children, minimum is amount of death benefit payable to spouse fire rescue."

Wisc. "Compensation may be adjusted up or down by 15% (up to \$10,000) for failure to use safety device or obey code or order. 10% interest payable on late payments. Employer, insurer, or both may be assessed penalty up to double the amount of compensation (not to exceed \$15,000) for bad faith failure to make payments."

Wyo. "Court must approve PT payments after \$59,979 (257 times 66-2-3% SAWW)."

Longshore "For Nonappropriated Fund Instrumentalities Act, maximum is \$489.55 (66-2-3% of GS-12, step 10), and minimum is \$125.08 (66-2-3% of GS-2, step 1), effective October 3, 1982."

Alta. "Employer must pay half of 'costs of the claim' to Accident Fund if injury caused by safety violation."

B.C. "On application for review, Board may award benefits based on current levels."

Man. "Maximum earning ceiling increased by \$1,000 if 10% of workers injured in preceding year earn in excess of maximum."

N.B. "Board must review maximum" at least biennially. Higher figure is for married claimant with 5 dependents. Minimum benefit for 1983 not available at time of publication."

Nfld. "100% of wages if injury incurred in mine, or with same number of children."

"Minimum is no less than survivor's benefits if claimant has dependent child under 16 (21 if in school)—see Chart VII."

N.S. "If 2 or more dependent children, minimum is amount of death payment to spouse with same number of children."

Ont. "No less than award if worker had been fatally injured."

P.E.I. "Actual wages if less, but Board may set minimum at \$15."

Quebec "Benefits for 1983 not available in time for publication."

Sask. "Actual wages if less for first 2 years' disability."

"Maximum earning ceiling increased by \$1,000 if 10% of workers injured in preceding year earn in excess of maximum."

Yukon "Benefits increased annually based on Consumer Price Index, and based on 90% of territory's average wage, effective January 1. Minimum for 1983 is unofficial projection. Minimum for 1982 was \$104.00, actual wages if less."

CHART VI

INCOME BENEFITS FOR SCHEDULED INJURIES

January 1, 1983

JURISDICTION	ARM AT SHOULDER	HAND	THUMB	FIRST FINGER	SECOND FINGER	THIRD FINGER	FOURTH FINGER	LEG AT HIP	FOOT	GREAT TOE	OTHER TOES	ONE EYE	HEARING ONE EAR	HEARING BOTH EARS
IN THIS GROUP OF STATES, COMPENSATION FOR TEMPORARY DISABILITY IS ALLOWED IN ADDITION TO ALLOWANCE FOR SCHEDULED INJURY														
ALABAMA	\$38,638	\$29,580	\$10,788	\$ 7,482	\$ 5,394	\$ 3,828	\$ 2,784	\$34,800	\$24,186	\$ 5,568	\$ 1,914	\$21,576	\$ 9,222	\$28,362
ALASKA*	43,680	33,600	10,400	6,440	4,200	3,500	2,100	40,320	28,700	5,320	2,240	22,400	7,280	28,000
AMERICAN SAMOA	PPD benefits paid at 66-2/3% of wages for specified number of weeks, no maximum*													
ARIZONA	43,725	36,437	10,931	6,559	5,101	3,644	2,915	36,437	29,150	5,101	1,822	21,662	14,575	43,725
ARKANSAS*	30,800	23,100	9,240	5,390	4,820	3,080	2,310	26,950	19,250	4,620	1,540	15,400	6,160	23,100
CALIFORNIA*	54,763**	40,430	7,053	3,120	3,120	2,340	2,340	56,963**	31,330	3,933	780	19,598**	5,883	40,430
COLORADO*	17,472	8,736	4,200	2,184	1,512	924	1,092	17,472	8,736	2,184	924	11,676	2,940	11,676
CONNECTICUT*	101,712	82,152	30,970	17,604	14,344	10,106	8,476	77,588	64,548	13,692	4,238	76,610	16,952	50,856
DELAWARE	52,113	45,859	15,634	10,423	8,338	6,254	4,169	52,113	33,352	8,338	3,127	41,690	15,634	36,479
DISTRICT OF COLUMBIA*	123,795	96,814	29,759	18,252	11,903	9,920	5,952	116,653	81,340	11,903	6,348	63,485	20,633	79,356
FLORIDA	No schedule. Benefits paid according to degree of impairment and loss of earnings*													
GEORGIA	30,375	21,600	8,100	5,400	4,725	4,050	3,375	30,375	18,225	4,050	2,700	16,875	8,100	20,250
GUAM	39,200	29,680	7,140	3,920	2,520	2,380	980	34,720	24,220	3,640	1,120	19,600	7,280	28,000
HAWAII*	82,992	64,904	19,950	12,236	7,980	6,650	3,990	76,608	54,530	10,108	4,256	42,560	13,832	53,200
IDaho*	43,725	39,353	16,033	10,203	8,016	3,644	2,186	29,150	20,405	6,122	1,020	25,506	—	25,506
ILLINOIS*	104,904	84,815	31,246	17,856	15,624	11,160	8,928	89,280	69,192	15,624	5,357	71,424	14,113	56,450
IOWA*	124,750	94,810	29,940	17,465	14,970	12,475	9,980	109,780	74,850	19,960	7,485	69,860	24,950	87,325
MAINE	79,296	65,419	19,824	12,687	11,101	7,930	6,740	79,296	65,419	9,912	3,965	39,648	19,824	79,296
MARYLAND*	78,000	64,935	9,800	3,920	3,430	2,940	2,450	78,000	64,935	3,920	980	64,935	12,250	64,935
MASSACHUSETTS*	17,140	8,675	—	—	—	—	—	9,900	7,425	—	—	9,900	7,425	19,800
MICHIGAN*	88,770	70,950	21,450	12,540	10,890	7,260	5,280	70,950	53,460	10,890	3,630	53,460	(-)	(-)
MINNESOTA*	78,300	63,800	18,850	11,600	10,150	7,250	5,800	63,800	47,850	10,150	4,350	46,400	24,650	49,300
MISSISSIPPI	22,400	16,800	6,720	3,920	3,360	2,240	1,680	19,600	14,000	3,360	1,120	11,200	4,480	16,800
MISSOURI*	26,376	19,896	6,821	5,116	3,979	3,979	2,501	23,534	17,622	4,544	1,592	15,917	5,002	19,100
MONTANA*	36,820	26,300	9,862	5,260	4,865	3,288	1,973	39,450	23,670	4,865	2,104	27,697	5,260	26,300
NEBRASKA*	40,500	31,500	10,800	6,300	5,400	3,600	2,700	39,700	27,000	5,400	1,800	22,500	9,000	(-)
NEVADA	No schedule. Degree of disability determined in relation to whole man*													
NEW HAMPSHIRE	50,076	40,950	11,700	7,254	6,084	4,446	3,042	50,076	35,334	6,084	2,560	29,484	12,168	50,076
NEW JERSEY*	57,090	34,545	4,725	3,150	2,520	1,890	1,260	54,495	28,980	2,520	945	28,350	3,780	22,000
NEW MEXICO	54,352	33,970	14,947	7,609	5,979	4,620	3,805	54,352	31,252	9,512	3,805	35,329	10,870	40,764
NORTH CAROLINA	59,520	49,600	18,600	11,160	9,920	6,200	4,960	49,600	35,712	8,680	2,480	29,760	17,360	37,200
NORTH DAKOTA*	10,000	10,000	3,250	2,000	1,500	1,000	800	9,360	6,000	1,200	480	6,000	2,000	8,000
OHIO*	36,113	28,088	9,630	5,618	4,815	3,210	2,408	32,100	24,075	4,815	1,605	20,363	4,013	20,063
OREGON*	19,200	15,000	4,800	2,400	2,200	1,000	600	15,000	13,500	1,800	400	10,000	6,000	19,200
PUERTO RICO*	10,000	9,000	3,375	1,800	1,350	1,125	675	10,000	7,875	1,350	675	(-)	2,250	9,000
RHODE ISLAND*	28,080	21,960	6,750	4,140	2,700	2,250	1,800	28,080	18,450	3,420	900	14,400	5,400	18,000
SOUTH CAROLINA	55,964	47,060	16,535	10,175	8,903	6,360	5,088	49,604	35,613	8,903	2,544	25,438	20,350	41,973
SOUTH DAKOTA	45,400	34,050	11,350	7,945	6,810	4,540	3,405	36,320	28,375	6,810	2,270	34,050	11,350	34,050
TENNESSEE	27,200	20,400	8,160	4,760	4,080	2,720	2,040	27,200	17,000	4,080	1,360	13,600	10,200	20,400
UTAH*	35,343	31,185	12,663	7,938	6,426	3,213	1,512	23,625	16,632	4,914	756	22,680	3,150**	18,900
VERMONT*	52,245	42,525	12,150	7,776	6,075	4,860	2,916	52,245	42,525	6,075	2,430	30,375	12,636*	52,245
VIRGINIA*	50,600	37,950	15,180	8,855	7,590	5,060	3,795	44,275	31,625	7,590	2,530	25,300	12,650	25,300
VIRGIN ISLANDS*	33,660	27,540	12,240	12,240	12,240	11,475	27,540	18,360	12,240	11,475	29,835	18,360	27,540	27,540
WASHINGTON*	36,000	32,400	12,960	8,100	6,480	3,240	1,620	36,000	25,200	7,560	2,760	14,400	4,800	28,800
WEST VIRGINIA*	48,098	40,082	16,033	8,016	5,611	4,008	4,008	48,098	28,057	8,016	3,207	26,454	20,041	52,107
WISCONSIN*	45,000	36,000	14,400	5,400	4,050	2,340	2,520	45,000	22,500	7,500	2,250**	24,750	4,950	29,700
WYOMING	35,007	28,472	10,269	6,768	3,501	3,501	3,501	35,007	23,338	4,668	1,634	21,938	9,335	—
F.E.C.A.*	284,017	222,116	68,273	41,674	27,309	22,758	13,655	262,169	186,614	34,592	14,565	145,650	47,336	182,062
LONGSHORE ACT	163,706	128,027	39,353	24,136	15,741	13,118	7,871	151,114	107,564	15,741	8,395	83,952	27,284	104,940
IN THIS GROUP OF STATES, COMPENSATION FOR TEMPORARY DISABILITY IS ALLOWED IN ADDITION TO SCHEDULED INJURY WITH CERTAIN LIMITATIONS AS TO PERIOD														
INDIANA*	18,750	15,000	4,500	3,000	2,625	2,250	1,500	16,675	13,125	4,500	2,250**	13,125	5,625	15,000
KANSAS*	42,840	30,600	12,240	7,548	6,120	4,080	3,060	40,800	25,500	6,120	2,040	24,480	6,120	22,440
NEW YORK*	32,760	25,620	7,875	4,830	3,150	2,625	1,575	30,240	21,525	3,990	1,680	16,800	6,300	15,750
PENNSYLVANIA*	125,460	102,510	30,600	15,300	12,240	9,180	8,568	125,460	76,500	12,240	4,896	84,150	18,360	79,560
IN THIS GROUP OF STATES, COMPENSATION FOR TEMPORARY DISABILITY IS DEDUCTED FROM THE ALLOWANCE FOR SCHEDULED INJURY														
KENTUCKY	No schedule. PP benefits paid at 66-2/3% of wages up to 425 weeks according to degree of disability*													
LOUISIANA*	40,800	30,600	10,200	6,120	4,080	4,080	4,080	35,700	25,500	4,080	2,040	20,400	—	—
OKLAHOMA*	36,750	29,400	8,820	5,145	4,410	2,940	2,205	36,750	29,400	4,410	1,470	36,750	14,700	44,100
TEXAS	36,400	27,300	10,920	8,190	5,460	3,822	2,730	36,400	22,750	5,460	—	18,200	—	27,300

NOTE--In Canada permanent physical impairments generally are compensated by degree of disability using medical rating schedules as guidelines.
Numbers in italics are computations for loss of major member, loss of leg precluding use of artificial limb, or loss of eye by enucleation.

CHART VI ☐ INCOME BENEFITS FOR SCHEDULED INJURIES ☐ January 1, 1983 (continued)

Alaska *Maximum dollar amount fixed by statute

Ar. Samoa *Arm—312; hand—244; thumb—75; first finger—46; second finger—30; third finger—25; fourth finger—15; leg—288; foot—205; great toe—30; other toes—16; one eye—160; one ear—52; both ears—200

Ariz. *PP benefit is 55% of monthly compensation up to \$1,325 (= \$168.01 weekly)

Ark. *Maximum amount for PP is \$63,000

Calif. *Maximum PP benefit is \$130.00 weekly, effective 1.1.83, increased to \$140.00 effective 1.1.84. Duration varies according to percentage of permanent disability, adjusted for age and occupation. Chart reflects standard rating for individual age 39 and loss of major arm.
**Chart reflects benefits for loss of eye if unable to wear artificial eye. Life pension up to \$64.21 weekly also payable for loss of arm or leg.

Colo. *Maximum weekly benefit is \$84

Conn. *Commission may award additional benefits based on loss of earnings

D.C. *Effective 7.26.82

Fla. *Permanent impairment caused by amputation, loss of 80% of vision in either eye after correction, or serious facial disfigurement—\$250 per 1% of disability up to 10%, and \$500 per 1% of disability over 10%. Wage-loss benefits also payable in all PP cases—95% of difference between 85% of pre-injury wages and earnings after maximum medical improvement, up to 100% of SAWW weekly, payable to age 65 or until eligible for Social Security, subject to time limits (variable by schedule)

Hawaii *In cases in which the disability is determined as a percentage of total loss or impairment of physical or mental function of the whole man, the maximum compensation is the corresponding percentage of 312 times SAWW (= \$82,992 effective 1.1.83)

Idaho *Maximum weekly PP benefit is 55% of SAWW (= \$145.75 for 1983)

Ill. *Effective January 15. Figures reflect benefits for amputation of member—maximum: 133-1/3% of SAWW. Maximum for other PP benefits is 100% of SAWW (from 1.1.81 until 1.1.84, frozen at \$282.25)

Ind. *Payable for 52 weeks; maximum weekly PP benefit is \$75

**Second toe—\$2,250; third toe—\$1,500; fourth toe—\$1,125; fifth toe—\$750

Iowa *Maximum weekly PP benefit is 184% of SAWW (= \$499.00)

Kans. *Additional healing period up to 15 weeks may be allowed. Maximum weekly PP benefit is 75% of SAWW

Ky. *Maximum weekly PP benefit is 75% of SAWW (= \$208.25). Degree of disability is determined by American Medical Association Guide or decrease in earning capacity, whichever is greater.

La. *Schedule is replaced with wage loss system for injuries occurring beginning July 1, 1983. If claimant has 10% loss of earnings, benefits are 74% of the difference between 90% of pre-injury wages and post-injury earnings, up to 520 weeks. Impairment benefits also payable for loss (or 50% or greater loss of use) of body part.

Md. *Maximum weekly PP benefit is 33-1/3% of SAWW (= \$98.00), where benefits are payable for 250 weeks or more, the number of weeks are increased by 1/3, and maximum is 66-2/3% of SAWW (= \$195.00)

Mass. *Benefits fixed at amount reflected in chart. Proportional benefits for functional loss of use of arm, hand, leg, or foot

Mich. *Wage-loss benefits payable for life

**Hearing loss compensable based on lost earnings

Minn. *Award increased by 15% if more than 1 member permanently disabled

Mo. *Maximum weekly PP benefit is 40% of SAWW (\$113.69 effective 7.1.82); minimum is \$40. If amputation or 100% loss of use, additional 10% compensation. Maximum healing period is 52 weeks

Mont. *Maximum weekly PP benefit is 50% of SAWW (= \$131.50, effective 7.1.82). Claimant may elect schedule or wage-loss indemnity

Nebr. *Terms run consecutively for loss of, or loss of use of, more than 1 member but less than total disability

**Permanent total loss of hearing is compensated as permanent total disability

Nev. *Each 1% of impairment is compensated by 6% of worker's monthly wage up to maximum (= \$1,286.92 as of 7.1.82), payable for 5 years or until age 65, whichever is later

N.J. *Computations include allowance for amputation of member (30% additional compensation). Compensation is payable weekly at 70% of pre-injury weekly wages, up to a maximum of 55% of SAWW for arm or leg, 45% of SAWW for hand, 40% of SAWW for foot or one eye, 35% of SAWW for hearing—both ears, 20% of SAWW for other scheduled injuries in chart

N.Y. *Additional weeks for TT in excess of statutory healing period, maximum \$105 weekly. Compensation for wage-loss in addition to schedule if impairment due to loss of 50% or more of member

N.D. *PP benefit is \$40 weekly for scheduled number of weeks

Ohio *Maximum weekly PP benefit is 50% of SAWW (= \$160.50 for 1983). Compensation payable for 200 weeks if percentage of disability is 90% or greater

Okla. *Maximum PP benefit is 50% of SAWW (= \$147.00 effective 1.1.82)

Oregon *Calculated at \$100 per degree of injury

Pa. *Healing period is 25 weeks for leg or foot, 20 weeks for an arm or hand, 12 weeks for great toe, 10 weeks for thumb, eye, or hearing, 6 weeks for finger or toe

P.R. *Maximum PP benefit is \$45 weekly

**Permanent visual disability is compensated according to percentage of total disability; in addition, loss of eye by enucleation is compensated at 10% of permanent total disability

R.I. *Maximum scheduled PP benefit is \$90.00 weekly. Maximum is 100% of SAWW for unscheduled injury

Utah *Maximum per week, including allowance for dependents, is 66-2/3% of SAWW (= \$189 effective 7.1.82)

**Entry presumes total loss of hearing in one ear and no loss of hearing in the other (16-2/3 weeks). Benefits are based on the percentage of binaural hearing loss, adjusted for claimant's age

Vt. *In addition to TT except for loss of hearing in 1 ear

Va. *Benefits for scheduled injuries are payable in addition to compensation for temporary disability. *County of Spotsylvania v. Hart*, 218 Va. 565, 238 S.E.2d 813 (1977). After expiration of scheduled award, claimant may file for further benefits within 1 year if still incapacitated

V.I. *PP benefit is 86-2/3% of SAWW weekly (= \$153.00 effective 1.1.83)

Wash. *Benefits fixed at amount reflected in chart. 25% less for disability not involving amputation

W.Va. *PP benefit is 70% of wages, payable in 4-week periods per 1% of disability up to 85% per week. Maximum is 66-2/3% of SAWW (= \$200.41 effective 7.1.82)

Wis. *Maximum weekly PP benefit is \$90 effective 1.1.82 and \$100 effective 1.1.84

**Second toe—\$2,250; other toe—\$1,800

Wyo. *PP benefit is 66-2/3% of SAWW

F.E.C.A. *Includes allowance for dependents

CHART VII FATALITIES—INCOME BENEFITS FOR SPOUSE AND CHILDREN January 1, 1983

JURISDICTION	PERCENT OF WAGES			MAXIMUM WEEKLY PAYMENT		MINIMUM PER WEEK SPOUSE ONLY	TIME LIMIT	AMOUNT LIMIT ¹		MAXIMUM BURIAL ALLOWANCE
	SPOUSE PLUS CHILDREN	SPOUSE ONLY	ONE CHILD ONLY	SPOUSE PLUS CHILDREN	SPOUSE ONLY			SPOUSE PLUS CHILDREN	SPOUSE ONLY	
ALABAMA	66-2-3	50	50	\$174.00*	\$174.00*	\$65.00	500 weeks ^{2,3}	\$87,000	\$87,000	\$1,000
ALASKA	66-2-3	66-2-3	66-2-3	996.00*	996.00*	45.00	(^{2,4})			1,000
AMERICAN SAMOA	66-2-3	35	35	70.00	36.75	5.25 ⁵	(^{2,4})			1,000
ARIZONA	66-2-3	35	35	203.86	107.00		(^{2,4})			1,000
ARKANSAS	66-2-3	35	50	154.00*	154.00*	15.00	(^{2,4})	(...)	(...)	750
CALIFORNIA	66-2-3	66-2-3	66-2-3	196.00	196.00	84.00	(²)	85,000	60,000*	1,500
COLORADO	66-2-3	66-2-3	66-2-3	283.71*	283.71*	70.53*	(^{2,4})			1,000
CONNECTICUT	66-2-3	66-2-3	66-2-3	326.00*	326.00*	65.00*	(^{2,3,4})			1,500
DELAWARE	80	66-2-3	66-2-3	250.13*	208.45*	69.47*	(^{2,4})			700**
DISTRICT OF COLUMBIA	66-2-3	50	50	396.78*	396.78*	99.20*	(^{2,4})			1,000
FLORIDA	66-2-3	50	33-1-3	271.00*	271.00*	20.00 ⁶	(^{2,3})	100,000	100,000	2,500
GEORGIA	66-2-3	66-2-3	66-2-3	135.00	135.00	25.00 ⁶	400 weeks ^{2,3}	54,000	32,500	750
GUAM	66-2-3	35	35	140.00	73.50	31.50*	(^{2,4})	40,000	40,000	1,200
HAWAII	66-2-3	50	40	266.00*	199.50*	66.50*	(^{2,4})	(...)	(...)	2,660***
IDAHO				159.00*	119.25*	119.25*	500 weeks ²	79,500	99,625	1,500*
ILLINOIS	66-2-3	66-2-3	66-2-3	446.40*	446.40*	167.40*	20 years ^{2,4,5}	250,000	250,000	1,750
INDIANA	66-2-3	66-2-3	66-2-3	140.00	140.00	50.00 ⁶	500 weeks ^{2,4}	70,000	70,000	1,500
IOWA	80% of spendable earnings	80% of spendable earnings	80% of spendable earnings	542.00*	542.00*	(...)	(^{2,4})			1,000
KANSAS	66-2-3	66-2-3	66-2-3	204.00*	204.00*	25.00	(^{2,5})	100,000	100,000	2,000
KENTUCKY	75	50	50	208.25*	138.83*	55.53*	(^{2,4})			2,500*
LOUISIANA	65	32-1-2	32-1-2	204.00*	204.00*	61.00*	(^{2,4})			3,000
MAINE ⁹	66-2-3	66-2-3	66-2-3	396.48*	396.48*	25.00	(^{2,3})			1,000
MARYLAND	66-2-3	66-2-3	66-2-3	292.00*	292.00*	25.00 ⁶	(^{2,4})			1,200**
MASSACHUSETTS			(-)	110.00*	110.00*	110.00*	(^{2,4,5})	(...)	(...)	2,000
MICHIGAN	80% of spendable earnings	80% of spendable earnings	80% of spendable earnings	330.00*	330.00*	182.78*	500 weeks ^{2,6,7}	(...)	165,000	1,500
MINNESOTA	66-2-3	50	60	290.00*	290.00*		(^{2,4})			1,000
MISSISSIPPI ⁸	66-2-3	35	25	112.00	112.00	25.00	450 weeks ²	44,100	44,100	1,000
MISSOURI	66-2-3	66-2-3	66-2-3	189.49*	189.49*		(^{2,4,5})	195,000	195,000	2,000
MONTANA	66-2-3	66-2-3	66-2-3	263.00*	263.00*	131.50*	(^{2,4})			1,400
NEBRASKA	75	66-2-3	66-2-3	180.00	180.00	49.00 ⁶	(^{2,4})			2,000
NEVADA	66-2-3	66-2-3	66-2-3	295.96*	295.96*		(^{2,4})			2,500*
NEW HAMPSHIRE	66-2-3	66-2-3	66-2-3	256.00**	256.00**	30.00*	(^{2,4,5})			1,200
NEW JERSEY	70	50	50	236.00*	236.00*	63.00*	(^{2,3,4})			2,000
NEW MEXICO	66-2-3	66-2-3	66-2-3	271.76*	271.76*	36.00	600 weeks ^{2,4}	163,056	163,056	1,500
NEW YORK	66-2-3	66-2-3	66-2-3	215.00	215.00	30.00	(^{2,4})			1,500

¹Amount limits have been computed where not stipulated by law and are shown in italics. Disability payments deducted in all laws except those of Arizona, Arkansas, California, Delaware, District of Columbia, Florida, Michigan, Mississippi, Missouri, Nevada, New York, North Dakota, Oregon, Washington, West Virginia, Wisconsin, Wyoming, F.E.C.A., and Longshore Act.

²To child until age 18 (16 in Manitoba, Newfoundland, Northwest Territories, Ontario, Saskatchewan, and Yukon; 19 in Alaska and Wyoming; 21 in Michigan and—if in school—New Brunswick). If invalid for duration of invalidity (for 15 years in Wisconsin; for period decedent would have supported child in Alberta, Newfoundland, Prince Edward Island, and Yukon). If student, to age 21 in Colorado, British Columbia, New Brunswick, Nova Scotia, Newfoundland, Prince Edward Island, Saskatchewan, and C.M.S.C.A.; 22 in Connecticut, Florida, Kentucky, Missouri, Nevada, South Dakota, Tennessee, and Virgin Islands; 23 in D.C., Kansas, Louisiana, Maine, Maryland, Mississippi, New Mexico, New York, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Virginia, Washington, F.E.C.A., and Longshore Act; 25 in American Samoa, Arkansas, Delaware, Hawaii, Illinois, Iowa, Minnesota, Montana, Nebraska, New Hampshire, Ohio, Puerto Rico, Texas, West Virginia, and Alberta; no age limit in Alaska (4 years only), Massachusetts, Vermont, Manitoba, Northwest Territories, Ontario, and Quebec.

³To spouse for life, compensation ceases on remarriage.

⁴To spouse for life, 2 years' lump sum upon remarriage (but only if no children in Colorado, Illinois, Indiana, and Iowa) or balance of compensation if less (Indiana, New Mexico, South Carolina, and Saskatchewan).

⁵To spouse for life, 1 year's lump sum upon remarriage.

⁶To spouse for life, cash lump sum on remarriage: Kansas—100 weeks or balance if less; Michigan—\$500 or balance if less; Oregon—\$5,000; Washington—\$7,500 or 50% of remaining annuity value if less; Manitoba—\$3,600; Nova Scotia—\$2,443; Prince Edward Island—\$4,200; Yukon—\$6,111.

⁷Additional allowance for transportation of body, no maximum except Virginia—\$500; Alberta—\$700; British Columbia—\$423.24 and \$423.24 for incidental death expenses; Nova Scotia—\$300; Prince Edward Island—\$100; Yukon—\$247 for 1981; C.M.S.C.A.—\$125.

⁸Actual wage if less.

⁹Spouse receives cash lump sum in addition to other benefits: Maine—\$1,000; Mississippi—\$250; North Dakota—\$300 plus \$100 per child; Oklahoma—\$10,000 plus \$2,500 per dependent (maximum \$15,000); Washington—\$800; British Columbia—\$1,058.05; Manitoba—\$1,050; New Brunswick—\$500; Northwest Territories—\$928; Nova Scotia—\$1,000; Ontario—\$1,200; Prince Edward Island—\$500; Quebec—\$500; Yukon—\$1,220; C.M.S.C.A.—\$750.

¹⁰If no dependents.

Alab. "Maximum is 66-2-3% of SAWW for spouse and children, 50% of SAWW for spouse only. Minimum is 25% of SAWW, actual wage if less."

Alaska "Maximum is 200% of SAWW."

"Spousal benefit reduced by 1/3 as of 5 years after worker's death, by 1/2 as of 8 years, and ceases after 10 years; reductions do not apply if spouse is over 52 or permanently and totally disabled. Limited Social Security offset.

Ark. "Effective 3-1-82.

"Benefits in excess of \$75,000 payable from Death and Permanent Disability Bank Fund.

Calif. "Effective 1-1-84, maximum is \$224.00, minimum is \$112.00, and amount limit is \$95,000 for spouse and 2 dependents and \$70,000 for spouse only.

Colo. "Maximum is 80% of SAWW; minimum is 25% of maximum.

"Social Security offset.

Conn. "Maximum is 100% of SAWW and minimum is 20% of SAWW (80% of average weekly wages if less). Employer-funded cost of living increase payable each October.

Del. "Maximum is 80% of SAWW for spouse and children, 66-2-3% of SAWW for spouse only. Minimum for spouse only is 1/3 of maximum for spouse only.

"Additional burial allowance payable on Board approval.

D.C. Effective 7-26-82. Maximum is 100% of SAWW (but no less than \$396.78); minimum is 25% of SAWW (but no less than \$99.20).

Fla. "Maximum is 100% of SAWW.

Guam "Actual wages if less.

Hawaii "Maximum is 100% of SAWW for spouse and children, 75% of SAWW for spouse only. Minimum is 25% of SAWW.

"Maximum amount for persons other than spouse and children is the maximum benefit times 312.

"Funeral expense is 10 times SAWW, plus burial allowance equal to 5 times SAWW.

Idaho "Death benefit is fixed at 45% of SAWW for spouse plus 5% of SAWW per dependent child up to 3; 30% of SAWW for one child if no dependent spouse.

Ill. "Maximum is 133.1-3% of SAWW; minimum is 50% of SAWW.

"Child under 18 is entitled to at least 6 years' benefits.

Iowa "Maximum is 200% of SAWW.

"Minimum earnings presumed to be 35% of SAWW (\$94.85); benefits may not exceed spendable earnings.

Kans. "Maximum is 75% of SAWW, effective 7-1-80.

Ky. "Maximum is 75% of SAWW for spouse and children, 50% of SAWW for spouse only. Minimum is 20% of SAWW.

La. "Maximum is 66-2-3% of SAWW. Minimum is 20% of SAWW, actual wage if less.

Maine "Maximum is 166-2-3% of SAWW.

Md. "Maximum is 100% of SAWW.

"Additional burial allowance payable on Commission approval.

Mass. "Death benefit is fixed at \$110 weekly for spouse, plus \$6 per child.

"After 400 weeks or \$32,000, spouse must prove actual dependence; time and amount limits do not apply to children's benefits.

Mich. "Maximum is 90% of SAWW; minimum is 50% of SAWW.

"500-week limit does not apply to children.

Minn. "Maximum is 100% of SAWW.

"Government survivors' benefits offset. During dependency of children, then 10 years' benefits, on remarriage—2 years' benefits (or balance if less) if spouse elected to receive benefits weekly rather than in lump sum settlement.

Mo. "Maximum is 66-2-3% of SAWW effective 7-1-82.

"4 years' benefits payable to child on active duty in armed forces at age 18 who enrolls in school prior to age 23.

Mont. "Maximum is 100% of SAWW; minimum is 50% of SAWW, actual wage if less.

Nev. "Maximum is 100% of SAWW.

N.H. "If wage is less than \$30, benefit is actual wage; if wage \$30-\$35, benefit is \$30; if wage \$35-\$40, benefit is \$32; benefit increases in \$3 increments per \$5 increase in wage, up to \$135; if wage \$135-\$138, benefit is \$92; if wage is over \$138, benefit is 66-2-3% of wage up to maximum.

"Maximum is 100% of SAWW.

"After 400 weeks, spousal benefits cease unless spouse is permanently and totally disabled. Spousal benefits are payable for 400 weeks and thereafter while a child is eligible for benefits (no time limit if spouse is totally disabled). On remarriage, the unpaid balance otherwise payable for dependent children is payable to parent or guardian for the children's benefit.

N.J. "Maximum is 75% of SAWW; minimum is 20% of SAWW.

"After 450 weeks, spouse's earnings are deducted.

N.M. "Maximum is 100% of SAWW.

N.Y. "Social Security offset.

CHART VII □ FATALITIES—INCOME BENEFITS FOR SPOUSE AND CHILDREN □ January 1, 1983 (continued)

JURISDICTION	PERCENT OF WAGES			MAXIMUM WEEKLY PAYMENT		MINIMUM PER WEEK SPOUSE ONLY	TIME LIMIT	AMOUNT LIMIT ¹		MAXIMUM BURIAL ALLOWANCE
	SPOUSE PLUS CHILDREN	SPOUSE ONLY	ONE CHILD ONLY	SPOUSE PLUS CHILDREN	SPOUSE ONLY			SPOUSE PLUS CHILDREN	SPOUSE ONLY	
NORTH CAROLINA	66-2-3	66-2-3	66-2-3	\$248.00*	\$248.00*	\$30.00	(² 3-1)			\$1,000
NORTH DAKOTA ⁹	66-2-3	66-2-3	66-2-3	(-)	105.00	10.00	(² 4)			2,000
OHIO ⁹	66-2-3	66-2-3	66-2-3	321.00*	321.00*	160.50*	(² 4)			1,200
OKLAHOMA ⁹	75	50	35	196.00*	196.00*	30.00 ^B	(² 4)			1,000 ¹⁰
OREGON				304.60*	152.30*	152.30*	(² 6-1)			3,000
PENNSYLVANIA	66-2-3	51	32	306.00*	306.00*	153.00*	(² 4)			1,500
PUERTO RICO	85	50	60	28.85*	23.08*	11.54*	(² 4-1)			300 ¹⁰
RHODE ISLAND	66-2-3	66-2-3	66-2-3	(-)	257.00*	30.00	(² 3)			3,000
SOUTH CAROLINA	66-2-3	66-2-3	66-2-3	254.38*	254.38*	25.00	500 weeks ^{2,4}	127.190	127.190	400
SOUTH DAKOTA	66-2-3	66-2-3	66-2-3	(-)	227.00*	113.50*	(² 4)			2,500 ⁷
TENNESSEE	66-2-3	50	50	136.00	136.00	15.00	(² 3)	50,400	50,400	1,250*
TEXAS	66-2-3	66-2-3	66-2-3	182.00	182.00	32.00	(² 4)			1,250
UTAH	66-2-3	66-2-3	66-2-3	241.00*	241.00*	45.00 ^B	(² 1)			1,000
VERMONT	76-2-3	66-2-3	71-2-3	243.00*	243.00*	121.50*	(² 1)			1,000
VIRGIN ISLANDS				(-)	(-)	(-)	(²)	16,500*	16,500	800 ¹⁰
VIRGINIA	66-2-3	66-2-3	66-2-3	253.00*	253.00*	63.25*	500 weeks ^{2,4}	126,500	126,500	2,000 ⁷
WASHINGTON ⁹	70	60	35	245.81*	245.81*	42.69	(² 6-1)			2,000
WEST VIRGINIA	70	70	70	300.61*	300.61*	100.21*	(² 3)			1,500
WISCONSIN	66-2-3	66-2-3	66-2-3	294.00*	294.00*	30.00	(-)	58,900***	58,900***	1,000
WYOMING				(-)	233.38*	233.38*	(-)	(-)	(-)	1,100**
F.E.C.A.	75*	50	40	910.31	910.31	93.81	(² 4-1)			800***
LONGSHORE ACT	66-2-3	50	50	(-)	(-)	174.90*	(² 4)			1,000
ALBERTA ⁹	90% of weighted net income	90% of weighted net income		(-)	(-)	(-)	5 years ²			1,350 ⁷
BRITISH COLUMBIA ⁹			40	(-)	(-)	(-)	(² 4)			1,396.21 ⁷
MANITOBA ⁹	75	75		360.58*	360.58*	109.62*	(² 6)			300 ^{7,11}
NEW BRUNSWICK ⁹				(-)	(-)	(-)	(² 5)			855 ⁷
NEWFOUNDLAND	(-)	(-)	(-)	(-)	656.25*	105.97*	(²)			1,120 ⁷
NORTHWEST TERRITORIES ⁹				(-)	147.23*	147.23*	(² 5)			928 ⁷
NOVA SCOTIA ⁹	(-)	(-)	(-)	(-)	109.85*	109.85*	(² 6)			750 ⁷
ONTARIO ⁹				(-)	113.23*	113.23*	(² 4)			1,200 ⁷
PRINCE EDWARD ISLAND ⁹	(-)	(-)	(-)	(-)	69.23*	69.23*	(² 6)			500 ⁷
QUEBEC ⁹	72	49-1-2 (weighted net income)	49-1-2	277.65*	277.65*	76.89*	(² 3-1)			600 ⁷
SASKATCHEWAN	75	75		418.27	418.27	185.77	5 years ^{2,4}			1,000 ⁷
YUKON TERRITORY ^{9,11}				(-)	150.00*	150.00*	(² 5)			1,397 ⁷
CANADIAN MERCHANT SEAMEN'S ACT ⁹				216.35*	86.54*	86.54 ^B	(² 4)			700 ⁷

N.C. *Maximum is 100% of SAWW.

**After 400 weeks, spouse must be dependent or disabled.

N.D. *Maximum \$105 plus \$7 per dependent child under 18.

Ohio *Maximum is 100% of SAWW; minimum is 50% of SAWW.

Oklahoma *Maximum is 66-2-3% of SAWW.

Oregon *Monthly spousal benefit is fixed at 50% of SAWW times 4.35 (- \$662.51 for 1982-83); an additional \$150 each is payable monthly for the first and second children, plus \$50 monthly per additional child, up to monthly maximum. Maximum is 100% of SAWW times 4.35 (- \$1,325.01 for 1982-83).

**Child's benefit payable to age 19 if in high school.

Pa. *Maximum is 100% of SAWW; minimum is 50% of SAWW.

P.R. *Maximum for spouse and children is \$125 monthly; for spouse only, \$100 monthly. Minimum is \$50 monthly. Maximum advance payment is \$500 to widow plus \$50 per child, up to \$1,100 total.

**540-week limit inapplicable to spouse and children.

R.I. *Maximum is 100% of SAWW plus \$9 per dependent child, up to 80% of pre-injury wages.

S.C. *Maximum is 100% of SAWW.

S.D. *Maximum is 100% of SAWW; minimum is 50% of SAWW, actual wage if less. Additional \$50 monthly is payable for each dependent child.

Tenn. *Employer must pay \$10,000 lump sum into estate if worker had no dependents.

Utah *Additional allowance for dependents is \$5 for spouse plus \$5 for dependent child (up to 4). Maximum (including dependents' allowance) is 85% of SAWW.

**After 312 weeks payments are continued only after annual review, minimum \$85. Balance of 312 weeks up to 52 weeks is payable to spouse upon remarriage. Social Security death benefits partially offset.

Vt. *Maximum is 100% of SAWW; minimum is 50% of SAWW, actual wage if less.

**To spouse until age 62 or when entitled to Social Security; balance of 330 weeks, if any, is payable on remarriage. Maximum 330 weeks payable to or for any child.

V.I. *Death benefit is \$12,500 to \$16,500, payable in installments or lump sum, 60% is payable to children, if any. Amount limit includes amounts paid for disability.

Va. *Maximum is 100% of SAWW; minimum is 25% of SAWW, actual wage if less.

**Social Security offset.

Wash. *Maximum monthly benefit is 75% of state average monthly wage.

**Social Security offset.

W. Va. *Maximum is 100% of SAWW; minimum is 33-1-3% of SAWW.

Wis. *Maximum is 100% of SAWW.

**If death follows disability, total time limit for disability plus death is 1,000 weeks.

***Amount limit is 200 times SAWW. When primary benefit expires, a supplementary monthly benefit continues for children at 10% of the spouse's monthly benefit, payable from the Children's Fund, to age 18 or for 15 years if invalid.

Wyo. *Monthly benefit is fixed at 66-2-3% of state average monthly wage, plus lump sum computed at \$60 monthly per child until age 19 (21 if invalid). After 231 weeks, court may continue payments at 33-1-3% of state average monthly wage. PT benefits in excess of \$4,000 are deducted.

**Employer may make other arrangements.

F.E.C.A. *2 or more children.

**Spouse who remarries after age 60 continues to receive monthly benefits.

***Additional \$200 lump sum payable for cost of terminating status as U.S. employee.

Longshore *No maximum for death benefits. Director of OWCP v. Rasmussen, 440 U.S. 29 (1979). Minimum is 66-2-3% of NAWW, actual wages if less.

Alts. *5 years' declining payment, effective 1-1-82.

B.C. *After deduction of Canada pension, maximum monthly benefit for spouse with 2 children is \$1,271.14, plus \$151.22 for each additional child. Childless widow under 40 receives capital sum of \$23,270.66. Benefits for childless widow age 40 or older vary by age.

Man. *Maximum is \$1,562.50 monthly; minimum is \$475 monthly. Allowance for 1 dependent is additional \$107 monthly if under 16 or \$119 monthly if over 16 and in school; allowance for 2 or more dependents is amount payable for 2 oldest children. Total monthly benefit may not exceed maximum.

**Plus up to \$50 for plot or urn.

N.B. *Spouse receives monthly benefit based on 80% of family income, less Canada pension.

Nfld. *Spouse receives lump sum equal to 250% of worker's annual compensable earnings, minimum \$17,821.44, maximum \$85,312.50. (Annual compensable earnings are 75% of earnings up to \$46,500.) Spouse who is invalid or age 50 or older also receives monthly allowance equal to one-twelfth of annual compensable earnings, minimum \$459.20, maximum \$2,843.75. Spouse age 35 to 49 receives one-fiftieth of monthly allowance for each year over age 35. Regardless of spouse's age, full monthly allowance is payable while there is dependent child (see footnote 2). If there is no surviving spouse, lump sum of \$1,120 is payable, plus monthly allowance of \$459.20 plus \$112.00 per dependent child.

N.W.T. *Fixed monthly benefit is \$638 plus \$145 monthly per child.

N.S. *Fixed monthly benefit is \$476 plus \$124 monthly per child.

Ont. *Fixed monthly benefit is \$492 plus \$136 monthly per child.

P.E.I. *Effective 4-1-82, fixed monthly benefit is \$350 plus \$75 monthly per child. If decedent was corporate officer and shareholder, benefit is 75% of maximum earnings of \$17,000.

Quebec *Maximum is 80% of maximum PT disability benefit. Benefits for 1983 not available in time for publication.

**Benefits stop after 5 years if spouse was under 35. Five years' benefits are payable to any spouse regardless of marital status.

Yukon *Effective 1-1-83, fixed monthly benefit is \$650 plus \$165 monthly per child. Other 1983 figures are unofficial projections.

C.M.S.C.A. *Fixed monthly benefit is \$375 for spouse only, actual weekly wage if less. Monthly benefit for spouse and children is \$375 plus \$85 per child, up to \$937.50 monthly.

CHART VIII WAITING PERIOD FOR INCOME BENEFITS; MEDICAL BENEFITS January 1, 1983

JURISDICTION	WAITING PERIOD ¹	RETRO-ACTIVE PERIOD	MEDICAL BENEFITS					
			LIMITATIONS BY STATUTE ²		EXTENSIONS PERMITTED		ARTIFICIAL APPLIANCES FURNISHED	SPECIAL PROVISIONS ³
			TIME	AMOUNT	TIME	AMOUNT		
ALABAMA	3 days*	3 weeks					Yes	Employer must replace appliances damaged in work-related accident and provide physical and vocational rehabilitation
ALASKA	3 days	4 weeks	as nature of injury may require				Yes	Injury includes damages to eyeglasses, dentures, hearing aids, or any prosthetic devices
AMERICAN SAMOA	3 days	2 weeks					Yes	
ARIZONA	7 days	2 weeks					Yes	Prayer or spiritual treatment by agreement
ARKANSAS	7 days	2 weeks					Yes	Spiritual treatment by agreement
CALIFORNIA	3 days*	3 weeks*					Yes	Includes x-ray reports, medical reports, and testimony and laboratory fees reasonably required to prove a claim **
COLORADO	3 days	2 weeks					Yes	Dental Service—maximum \$500
CONNECTICUT	3 days	1 week					Yes*	Worker compensated for time lost due to medical attention. Employer must repair or replace appliances damaged in employment, must also repair or replace eyeglasses, contact lenses, hearing aids, or dentures where injury to face or head. Prayer or spiritual treatment with Commissioner's approval
DELAWARE	3 days*	7 days*					Yes	Employer must replace prosthesis as needed
DISTRICT OF COLUMBIA	3 days	2 weeks					Yes	Spiritual treatment by agreement
FLORIDA	7 days	2 weeks					Yes	Injury includes damage to dentures, eyeglasses, and prosthetic devices in conjunction with accident
GEORGIA	7 days	4 weeks		\$5,000	As needed	As needed	Yes*	
GUAM	7 days*	21 days					Yes	
HAWAII	2 days	5 days					Yes	Maximum monthly attendant's allowance—4 times SAWW
IDAHO	5 days*	2 weeks*					Yes	Christian Science treatment permitted
ILLINOIS	3 days*	2 weeks					Yes	Spiritual treatment by agreement. Employer must repair replace appliances damaged in compensable accident
INDIANA	7 days	3 weeks					Yes	Employer pays reasonable expenses, including travel, food, and lodging, for treatment outside county. Spiritual treatment by agreement
IOWA	3 days*	2 weeks					Yes	Employer must repair or replace appliances
KANSAS	7 days	3 weeks					Yes	Prayer or spiritual treatment by agreement
KENTUCKY	7 days	2 weeks					Yes	
LOUISIANA	7 days	6 weeks					Yes	Employer must repair replace appliances
MAINE	3 days*	2 weeks					Yes	
MARYLAND	3 days	2 weeks					Yes	Employer must repair replace appliances
MASSACHUSETTS	5 days	6 days					Yes	
MICHIGAN	7 days	2 weeks					Yes	
MINNESOTA	3 days	10 days					Yes	Christian Science treatment by agreement. Chiropractic and podiatric treatment authorized
MISSISSIPPI	5 days	2 weeks					Yes	
MISSOURI	3 days	2 weeks					Yes	Prayer or spiritual treatment by agreement
MONTANA	5 days*	5 days*					Yes	Employer must repair replace appliances damaged as a result of injury
NEBRASKA	7 days	6 weeks					Yes	Employer must replace appliances damaged due to compensable injury. Employer must provide plastic surgery for disfigurement
NEVADA	5 days	5 days					Yes	
NEW HAMPSHIRE	3 days	1 week					Yes	
NEW JERSEY	7 days	6 days					Yes	Hospital care must be semi-private, if available
NEW MEXICO	7 days	4 weeks					Yes	
NEW YORK	7 days	2 weeks					Yes	
NORTH CAROLINA	7 days	4 weeks					Yes	Employer must repair replace appliances damaged in compensable accident. Medical care includes rehabilitation services
NORTH DAKOTA	5 days	5 days					Yes	
OHIO	7 days	2 weeks					Yes	Includes hospitalization and damage to eyeglasses, dentures, hearing aids, or prostheses
OKLAHOMA	3 days	3 days					Yes	Employer must repair replace appliances. Special provisions for hernias
OREGON	3 days	2 weeks					Yes	Spiritual treatment by agreement

¹If disability continues for longer than stated periods, compensation is paid for the waiting period. Waiting periods do not apply to medical care, which is furnished from the first day of injury.

²No entry indicates no statutory limitation.

Asab: *Temporary disability only.

Calif: *Waiting period also terminated by hospitalization.

**Psychologists included within definition of physician and treatment permitted.

Conn: *By court decision. *Olmstead v. Lamphier*, 93 Conn. 20, 104 A. 488 (1918).

Del: *No waiting period if incapacity results in hospitalization or is caused by amputation of member.

Ga: *Included in total amount allowed for medical care.

Idaho: *Waiting period also terminated by hospitalization.

Ill: *Temporary total disability only.

Iowa: *No waiting period for permanent partial disability.

Maine: *Firemen are exempt from waiting period and receive compensation from date of disability.

Mont: *Waiting period refers to number of days on which worker has a loss of wages.

CHART VIII ☐ **WAITING PERIOD FOR INCOME BENEFITS; MEDICAL BENEFITS** ☐ **January 1, 1983** (continued)

JURISDICTION	WAITING PERIOD ¹	RETRO-ACTIVE PERIOD	MEDICAL BENEFITS					SPECIAL PROVISIONS
			LIMITATIONS BY STATUTE ²		EXTENSIONS PERMITTED		ARTIFICIAL APPLIANCES FURNISHED	
			TIME	AMOUNT	TIME	AMOUNT		
PENNSYLVANIA	7 days	2 weeks					Yes	
PUERTO RICO	3 days	10 days					Yes	
RHODE ISLAND	3 days	2 weeks					Yes	
SOUTH CAROLINA	7 days	2 weeks					Yes	
SOUTH DAKOTA	7 days	8 days					Yes	Employer must repair/replace appliances damaged in compensable accident
TENNESSEE	7 days	2 weeks					Yes	Provides for nursing services
TEXAS	7 days	4 weeks					Yes	Repair or replacement of appliances when determined by physician
UTAH	3 days	2 weeks					Yes	\$1,000 limit for each artificial appliance, except unusual cases
VERMONT	3 days*	4 days					Yes	Injury includes damage to and cost of replacement of eyeglasses, hearing aids, and prosthetic devices
VIRGIN ISLANDS	1 day	1 day		\$16,000			Yes	\$30,000 amount limit if treatment outside Virgin Islands
VIRGINIA	7 days	3 weeks					Yes	Employer must repair/replace appliances damaged in compensable accident
WASHINGTON	3 days	2 weeks					Yes	Employees pay half of medical aid premiums. Department will replace/repair appliances damaged in compensable accident
WEST VIRGINIA	3 days	1 week					Yes	Employer must repair/replace appliances regardless of personal injury
WISCONSIN	3 days	1 week					Yes	Repair or replacement of appliances is limited to normal wear and tear
WYOMING	3 days	8 days					Yes	Maximum amount for prosthesis or hearing aid—\$1,500 plus \$350 for travel for fitting; amount in excess may be granted upon application
F.E.C.A.	3 days*	14 days					Yes	Additional \$500 monthly for medical attendant
LONGSHORE ACT	3 days	2 weeks					Yes	
ALBERTA	1 day	1 day					Yes	Appliances repaired or replaced by Board. Board may repair or replace garment damaged in compensable accident. Clothing allowance for wear due to prosthetic—\$200. Board may pay allowance for home nursing care
BRITISH COLUMBIA	1 day						Yes	Appliances repaired or replaced at Board's discretion, regardless of personal injury (includes eyeglasses, dentures, and hearing aids unless worker is at fault). Board may provide eyeglasses for serious visual impairment caused by work injury. Personal care allowance—maximum \$1,000.87 monthly. Annual clothing allowance for wear due to prosthesis—\$150.62 for upper limb, \$301.27 for lower limb, \$451.88 for both
MANITOBA	1 day	1 day					Yes	Appliances repaired or replaced at Board's discretion, regardless of personal injury. Aid includes clothing allowance for wear due to prosthetic device or if damaged in accident
NEW BRUNSWICK	1 day	1 day					Yes	Medical aid includes repair or replacement of appliances and a clothing allowance for wear due to prosthesis
NEWFOUNDLAND	1 day	1 day					Yes	Board may repair or replace appliances, and may pay daily allowance for treatment away from home. Clothing allowance for wear due to prosthetic device—\$250. Attendant's allowance—\$500 monthly
NORTHWEST TERRITORIES	1 day	1 day					Yes	Clothing allowance for wear due to prosthetic device—\$100. Board may repair/replace appliances damaged in a compensable accident
NOVA SCOTIA	3 days*	3 days					Yes	Attendant's allowance—\$200 monthly. Clothing allowance for wear due to prosthetic device—\$200 per year. Board may repair or replace appliances, and renew eyeglasses (replaced if damaged in any accident)
ONTARIO	1 day	(-)					Yes	Maximum attendant's allowance—\$854 monthly. Clothing allowance for wear due to prosthetic device—\$145 for upper limb and \$290 for lower limb. **
PRINCE EDWARD ISLAND	1 day	1 day					Yes	Appliances repaired or replaced at Board's discretion
QUEBEC	1 day	1 day					Yes	Commission may repair/replace prosthesis damaged in course of employment. Additional clothing allowance for wear due to prosthetic device—\$240 for lower limb, \$120 for upper limb
SASKATCHEWAN	(-)	(-)					Yes	Clothing allowance for wear due to prosthetic device—\$117 for arm, \$259 for leg. Employer must repair/replace appliances damaged in compensable accident
YUKON TERRITORY	1 day	1 day					Yes	
CANADIAN MERCHANT SEAMEN'S ACT	3 days	3 days					Yes	Employer must keep appliances in repair or replace, at Board's discretion

VI. *Total disability only.

F.E.C.A. *Waiting period begins running after 45 days' continuation of pay.

N.S. *No waiting period for permanent partial disability.

Ont. *Compensation not paid for the day on which the accident occurs.

**Compensation payable during disability caused by damage to prosthetic device.

Sask. *Compensation not paid for the day on which the accident occurs.

CHART IX

REHABILITATION OF DISABLED WORKERS

January 1, 1983

JURISDICTION	SOURCE OF FUND	MAINTENANCE ALLOWANCE	SPECIAL PROVISIONS
ALABAMA	No fund established	Board, lodging, and travel, if away from home	Physical and vocational rehabilitation to restore employee to gainful employment furnished at employer's expense. Employee's refusal results in loss of compensation.
ALASKA	No fund established	Board, lodging, travel, and temporary disability benefits. Additional \$200 monthly if extreme financial hardship	Employer pays full cost. Services available 37 weeks, extendable to 74 weeks. Compensation suspended for unreasonable refusal of evaluation or failure to participate in approved or agreed plan.
AMERICAN SAMOA	Second Injury Fund	\$10 weekly paid by employer plus maintenance from Special Fund	Commission arranges for vocational rehabilitation of permanently disabled workers.
ARIZONA	\$1,150 in no-dependency death cases. Appropriations annually from general fund up to 2% of annual premium	Commission may authorize additional necessary awards to persons undergoing vocational rehabilitation	Vocational rehabilitation trainees considered an employee at \$200 monthly wage rate for compensation benefits.
ARKANSAS	No fund established	Reasonable expenses for maintenance, travel, and other necessary costs for 60 weeks maximum	Must apply to Commission within 60 days. Commission may authorize vocational rehabilitation if reasonable in relation to disability, but worker may refuse.
CALIFORNIA	No fund established	All additional necessary living expenses during rehabilitation	Rehabilitation unit in Division of Industrial Accidents. Rehabilitation program is compulsory on part of employer or carrier. Rehabilitation trainee is considered employee of training employer for insurance purposes.
COLORADO	No fund established for vocational rehabilitation	Maintenance, tuition, and transportation during 26 weeks	Period of time may be extended another 26 weeks if necessary. Employee cannot receive disability benefits and maintenance simultaneously.
CONNECTICUT	2% tax upon compensation paid by insurers and self-insurers	Weekly subsistence allowance during vocational rehabilitation	Employer pays full cost of medical rehabilitation, which continues until employee reaches maximum improvement. Vocational rehabilitation is furnished by Division of Workers' Rehabilitation.
DELAWARE	No fund established	Reasonable board, lodging, and travel	Physical and vocational rehabilitation furnished at employer's expense. Employee's refusal results in loss of compensation.
DISTRICT OF COLUMBIA	No fund established	Not exceeding \$50 per week	Employer must provide vocational rehabilitation. Benefits forfeited if worker fails to cooperate.
FLORIDA	Payments from Special Fund and assessments upon insurers and self-insurers	Reasonable board, lodging, and travel	Injured worker is entitled to prompt rehabilitation including retraining, provided by or at the expense of the employer. Rehabilitation may be up to 26 weeks extendable for an additional 26 weeks. Refusal to accept rehabilitation deemed necessary by deputy commissioner results in automatic 50% reduction in compensation for each week of refusal.
GEORGIA	No fund established	Board, lodging, and travel, if away from home	Vocational rehabilitation furnished for 52 weeks but may be extended if necessary. Employee's unreasonable refusal may result in suspension of compensation.
GUAM	State fund (appropriation)	\$10 per week during retraining	Commission directs the vocational rehabilitation of permanently disabled employees and arranges with the appropriate public or private agencies for such education.
HAWAII	Payments from Second Injury Fund	Director of Labor to issue rules	Rehabilitation unit within Department of Labor makes recommendation for physical or vocational rehabilitation.
IDAH0	7% tax on insurers and self-insurers	Reasonable expenses for maintenance and travel	Rehabilitation Division administers. Temporary disability benefits payable up to 104 weeks where retraining required.
ILLINOIS	No fund established	Maintenance costs and incidental expenses	Physical, mental, and vocational rehabilitation as may be necessary. Institutional care, if required.
INDIANA	No fund established	No specific statutory provision	
IOWA	No fund established	\$20 weekly in addition to other compensation for 13 weeks	May be extended additional 13 weeks. Medical care includes physical rehabilitation.
KANSAS	No fund established	If employer provides vocational rehabilitation, must pay reasonable board, lodging, and travel up to \$2,000 for a 26-week period (may be increased to \$3,000)	If vocational rehabilitation unavailable through public facility, employer must provide up to 26 weeks, extendable additional 26 weeks. Compensation suspended for worker's unreasonable refusal of physical or vocational rehabilitation; compensation canceled after 90 days refusal. Rehabilitation Section of Division administers.
KENTUCKY	No fund established	Board, lodging, and travel, if away from home	Unlimited medical rehabilitation, vocational rehabilitation up to 52 weeks (may be extended). Employee's refusal results in loss of 50% of compensation.
LOUISIANA	No fund established	No specific statutory provision	
MAINE	No fund established	\$35 per week for 52 weeks	Commission member may extend vocational or educational rehabilitation benefits for additional 52 weeks or for a 3rd period of 52 weeks.
MARYLAND	No fund established	Up to \$40 weekly paid by employer	Workers' Compensation Commission investigates all claims and reports of injury or disability for referral to Division of Vocational Rehabilitation. Employee entitled to 24 months of vocational rehabilitation. Employee's unreasonable refusal results in loss of compensation. Employer pays compensation for temporary total disability plus expenses of vocational rehabilitation.
MASSACHUSETTS	No fund established. Paid the same as compensation	Rehabilitation Commission may approve room, board, and travel expenses	Necessary cost of rehabilitation subject to approval of Rehabilitation Commission.
MICHIGAN	No fund established	Transportation and other necessary expenses during 52 weeks training	Medical and vocational rehabilitation services under Workers' Compensation Bureau. Bureau may extend training period additional 52 weeks, maximum total 104 weeks.
MINNESOTA	No fund established	As approved under rehabilitation plan	Employer must provide vocational rehabilitation consultation from approved list of consultants. Employer may seek termination or suspension of benefits if worker fails to cooperate. During on-the-job training worker receives benefits equal to pre-injury take home pay. During other rehabilitation, benefits equal 125% of TT rate, in lieu of TT, TP, or PT benefits.
MISSISSIPPI	No fund established	Up to \$10 per week up to 52 weeks	Commission cooperates with federal and state agencies. A rehabilitation unit created in 1977 expired on 6.30.79.
MISSOURI	Second Injury Fund	\$40 weekly for physical rehabilitation (by order of Division after 20 weeks)	Administered by Director of Worker's Compensation Division. Division may order employer to provide transportation.
MONTANA	Rehabilitation Fund by 1% tax upon compensation paid by insurers, self-insured, and state fund	Additional \$50 weekly for living expenses while in training plus transportation, tuition, books, and equipment	Administered by Workers' Compensation Division in conjunction with Department of Social and Rehabilitation Services. Employee's refusal may result in loss of compensation.
NEBRASKA	Vocational Rehabilitation Fund by 1% premium tax on insurers and self-insurers (minimum \$25 payable to Court)	Board, lodging, and travel in addition to compensation	Insurer must furnish medical, physical, and vocational rehabilitation services voluntarily, (if not, may be ordered to do so). Costs may be apportioned between the employer and the Vocational Rehabilitation Fund. Payments into fund suspended when fund reaches \$400,000 (see Chart XII).
NEVADA	State Insurance Fund	Insurer may allow maintenance as needed	Insurer is authorized to provide all necessary rehabilitation services. Employee's refusal results in loss of all benefits.
NEW HAMPSHIRE	No fund established	Board, lodging, travel, books, and basic materials in addition to compensation	Insurer must furnish rehabilitation services voluntarily, or may be ordered to do so, for one year and further treatment if needed. Vocational and physical rehabilitation staff assist in program.
NEW JERSEY	No fund established		Permanent total disability benefits may be stopped after 450 weeks unless the worker has submitted to physical or educational retraining.

Ind. *State Rehabilitation Services Board administers vocational rehabilitation programs. Compensation suspended for refusal of suitable employment by partially disabled claimant.

Maine *Parties may agree to 3-month trial work period during which compensation is suspended. Compensation resumed if unsuccessful.

Minn. *Surviving spouse may request rehabilitation.

CHART IX ☐ REHABILITATION OF DISABLED WORKERS ☐ January 1, 1983 (continued)

JURISDICTION	SOURCE OF FUND	MAINTENANCE ALLOWANCE	SPECIAL PROVISIONS
NEW MEXICO	No fund established	Board, lodging, travel, and maintenance for family, \$3,000 maximum in addition to other compensation.	Employer must furnish vocational rehabilitation services to render worker fit to engage in remunerative employment.
NEW YORK	\$2,000 in no-dependency death cases	Up to \$30 per week for rehabilitation maintenance.	Department of Labor cooperates with Department of Education.
NORTH CAROLINA	No fund established		Insurer must furnish rehabilitation services required to lessen disability. Employee's unreasonable refusal of services ordered by Commission results in loss of compensation.
NORTH DAKOTA	Benefit Fund	Rehabilitation allowance in lieu of and equal to compensation, plus 25%.	Bureau through its Director of Rehabilitation provides retraining. Employee's unreasonable refusal to cooperate shall forfeit compensation. Additional allowance of \$5,000 maximum during lifetime, for remodeling living or business facilities, if required.
OHIO	State Insurance Fund	Same as for temporary total disability, minimum 50% of SAWW, for 6 months (renewable).	Rehabilitation Division within Commission administers. Division may make all necessary expenditures, medically including treatment of non-occupational conditions inhibiting return to work.
OKLAHOMA	No fund established	Board, lodging, travel, tuition, and books.	Court may order necessary rehabilitation up to 52 weeks.
OREGON	Rehabilitation reserve out of Administrative Fund	Worker receives temporary total disability compensation during rehabilitation.	Rehabilitation Reserve pays cost of physical rehabilitation. Need determined within 120 days after temporary total disability; benefits may be suspended for failure to participate. Vocational assistance may be provided by department, employer, or insurer. Department reimburses employer for temporary disability benefits paid after injury is medically stationary.
PENNSYLVANIA	No fund established	Rehabilitation Board may provide cash payments for living expenses.	State Board of Rehabilitation may provide vocational rehabilitation, training, and services.
PUERTO RICO	No fund established	Administrator may grant \$45 weekly for up to 26 weeks.	Rehabilitation center provides physical, medical, and rehabilitation services.
RHODE ISLAND	\$750 in no-dependency death cases; 1% of insurance premium	Board, lodging, and travel.	Rehabilitation clinic financed by the Curative Centre Fund. Compensation suspended for willful refusal of rehabilitation.
SOUTH CAROLINA	No fund established	No specific statutory provision.	
SOUTH DAKOTA	State fund to \$15,000	Provided by Rehabilitation Division.	State Board of Education authorized to cooperate with federal board of rehabilitation. Employee paid compensation while undergoing rehabilitation.
TENNESSEE	No fund established		Division of Workers' Compensation refers feasible cases to Department of Education pursuant to plan providing full or partial recovery of expenses from employer or insurer.
TEXAS	No fund established		Insurer furnishes necessary medical care and services for physical rehabilitation. Board may refer employee to Texas Rehabilitation Commission for vocational services.
UTAH	\$18,720 in no-dependency death cases	\$1,000 maximum during rehabilitation of permanently and totally disabled person.	If cannot be rehabilitated, worker receives benefits for life from Second Injury Fund; minimum \$85 per week.
VERMONT	No fund established	Board, lodging, travel, books, and tools.	Commissioner may order vocational rehabilitation services. If employee refuses, compensation may be suspended.
VIRGIN ISLANDS	Government Insurance Fund	Board, lodging, and travel.	Income benefits during rehabilitation suspended for employee's refusal to accept vocational rehabilitation. See Chart V—Total Disability Benefits.
VIRGINIA	Second Injury Fund		Commission may award compensation, medical care, and vocational rehabilitation. Employee's unreasonable refusal may suspend compensation.
WASHINGTON	No fund established	Compensation, board, lodging, travel, books, equipment, and child care allowance, up to 52 weeks (maximum \$3,000).	Supervisor may extend period for another 52 weeks. Department operates a Rehabilitation Center and pays for maintenance and employer's cost of job modification. Compensation may be halved for refusing rehabilitation without good cause.
WEST VIRGINIA	State Fund used; no special account.	Up to \$10,000 (includes tuition, books, supplies, travel, lodging, and tools), plus temporary total disability payments if totally disabled.	Fund-employed Rehabilitation Counselors provide referrals and direct services. Direct job placement preferred, but short-term training is provided when necessary. Medical services and devices are authorized for physical rehabilitation.
WISCONSIN	No fund established	Board, lodging, and travel up to 40 weeks. Temporary total disability paid during training.	Course of instructions must be undertaken within 60 days from date sufficiently recovered or as soon thereafter as State Board provides opportunity. 40-week period may be extended if necessary. Department employs rehabilitation specialists (physical, medical, and vocational) to evaluate and refer injured employee for treatment.
WYOMING	No fund established	Up to \$10 per week (may be increased to \$15 per week if insufficient); up to 72 weeks.	District judge grants maintenance allowance on recommendations of Board of Education.
F.E.C.A.	Employees' Compensation Fund	Up to \$200 per month.	If person fails to undergo rehabilitation, administrator may reduce benefit if rehabilitation would have increased earnings.
LONGSHORE ACT	50% of Special Fund*	Up to \$25 per week.	Surplus in Fund in any one year may be carried over. Appropriations authorized.
ALBERTA	Accident Fund	Discretion of Board.	Board operates physical rehabilitation center. Board may make necessary expenditures to aid rehabilitation and may provide vocational rehabilitation to a dependent spouse.
BRITISH COLUMBIA	Accident Fund	Discretion of Board.	Rehabilitation Clinic established. Board may make necessary expenditures to aid rehabilitation and may provide vocational rehabilitation to a dependent spouse.
MANITOBA	Accident Fund	Discretion of Board.	Board may make necessary expenditures to aid rehabilitation.
NEW BRUNSWICK	Accident Fund	Discretion of Board.	Board may make necessary expenditures to aid rehabilitation.
NEWFOUNDLAND	Accident Fund	Discretion of Board.	Board may make necessary expenditures to aid rehabilitation.
NORTHWEST TERRITORIES	Accident Fund	\$55.00 daily for first 7 days; \$45 daily thereafter. Employer pays transportation cost.	Board may order rehabilitation and retraining.
NOVA SCOTIA	Accident Fund	Discretion of Board.	Board may make necessary expenditures to aid rehabilitation.
ONTARIO	Schedule 1 cases—Accident Fund. Schedule 2 cases—employers individually.	Discretion of Board. Discretion of Board.	No limit on amount in any one case or in any year for rehabilitation.
PRINCE EDWARD ISLAND	Accident Fund	Discretion of Board.	Board may make necessary expenditures to aid rehabilitation.
QUEBEC	Accident Fund. Annex B—employers individually.	Discretion of Board. Discretion of Board.	
SASKATCHEWAN	Injury Fund	Discretion of Board.	Board provides on-the-job training, employer assistance, and physical and occupational therapy. Vocational training is also available for spouse.
YUKON TERRITORY	Compensation Fund	Subsistence in Commissioner's discretion.	Commissioner may make necessary expenditures to aid rehabilitation.
CANADIAN MERCHANT SEAMEN'S ACT	No fund established	No specific statutory provision.	

*Oregon: Field services division assists injured workers return to work as soon as condition permits.

Longshore: *See Chart XII—Second-Injury Funds—Special Provisions.

PART 3

ADMINISTRATION

Because workers' compensation grew out of a public dissatisfaction with the manner in which job-related disabilities were handled, it is not surprising that the system was designed with an eye toward prompt and effective disposition of disability cases. Without an effective delivery system, many of the problems associated with the common law and employer liability statutes would remain.

This requirement for an effective delivery system remains valid today. Indeed the National Commission on State Workmen's Compensation Laws, in listing this as a major objective for a modern workers' compensation system, made special note that the achievement of the system's objectives for protecting against workplace disabilities was dependent upon an effective system for delivery of the benefits and services. This observation was reaffirmed by a second federal report on workers' compensation delivery in 1977 (see **Special Report in 1977 edition**) which emphasized the importance of efficient program administration.

As originally envisioned, the system would be self-administering. Over time, the complexities of the system proved too much for a laissez-faire approach, and states moved to take a more affirmative role in the administration of their laws.

Generally, the states have moved either to administer their laws through their court system, a special commission or board, or a combination of both. In Canada, administrative activities are carried out by a board. The principal areas of administration include—

- Supervision of compliance with statutory requirements for employers, employees, carriers, and medical and legal personnel.
- Investigation and decision on disputed claims and the supervision of medical and vocational rehabilitation.
- Management of second injury funds, special assessment requirements.
- Collection of data and evaluation of program performance.

ADMINISTRATION—NOTICE TO EMPLOYER—CLAIMS: CHART X

Workers' compensation laws generally are administered by commissions or boards created by law. A few states provide for court administration.

Chart X shows statutory provisions relating to administration. These include (1) time limits in which employers must be advised of injury, (2) time in which claims must be filed, (3) claims settlement conditions, and (4) regulation of attorney fees.

EMPLOYER'S REPORT OF ACCIDENTS: CHART XI

All employers are interested in requirements legally imposed on them to report injuries, and the penalty—if any—imposed for failure to report. In many jurisdictions, except for preliminary reports, the insured's company relieves an employer of this burden. Provisions for employers' reports of accidents are summarized in Chart XI.

SECOND-INJURY FUNDS: CHART XII

Second-injury funds (or like arrangements) were developed to meet problems arising when a pre-existing injury combines with a second to produce disability greater than that caused by the latter alone. The funds (1) encourage hiring of the physically handicapped and (2) more equitably allocate costs of providing benefits to such employees. Second-injury employers pay compensation related primarily to the disability caused by the second injury alone—even though the employee receives a benefit relating to his combined disability; the difference is made up from a second-injury fund.

Where no special second-injury fund is provided by law, an employer in whose employ a second injury is sustained usually is liable for compensation due for the total resulting disability. Because of the potential increased cost of compensation benefits, an employer thus may be influenced to refuse employment to

handicapped persons. It is for this reason that second-injury funds are advocated.

Most compensation laws now limit employer liability in second-injury cases to payment for the disability resulting from the second injury considered by itself—as shown in Chart XII. The chart indicates the nature of the injury covered, portion payable by the employer and by the fund, and the sources of the fund.

ADMINISTRATION EXPENSES: CHART XIII

Chart XIII refers to (1) how costs of administration are met; (2) nature of assessments, if any; and (3) type of insurance provided for—whether private or state or both.

APPEAL PROVISIONS: CHART XIV

Appeal provisions—including designation of the court of appeal and nature of the procedures—are summarized in Chart XIV. Most Canadian jurisdictions use the inquiry system and do not provide for judicial appeals.

DIRECTORY: CHART XV

The names and addresses of the administrators, boards, and commissioners for all jurisdictions reported upon by the *Analysis* are furnished.

CHART X

ADMINISTRATION—NOTICE TO EMPLOYER—CLAIMS

January 1, 1983

JURISDICTION	ADMINISTRATION	NOTICE TO EMPLOYER	CLAIM FILING	HOW CLAIMS ARE SETTLED	AWARD EFFECT	REVIEW BY AGENCY	MODIFICATIONS	ATTORNEY'S FEES
ALABAMA	Courts	In writing within 5 days, excusable up to 90 days	Within 1 year after accident, last payment, or removal of incapacity	By agreement, which must conform substantially to terms of act unless court approves lesser sum. Disputed cases settled by courts	Lien when registered with probate judge		Award for more than 6 months at any time by agreement of parties with court approval	Fixed by Circuit Court judge up to 15% of award
ALASKA	Workmen's Compensation Board	In writing to Board and employer within 30 days, excusable	Within 2 years after knowledge of disability. Within 1 year after death or 2 years after last payment	By Board	Lien, recording required in 1 year. Interest and penalties accrue	By Board	Within 1 year after last payment of compensation or after rejection of claim	Fixed by Board
AMERICAN SAMOA	Workmen's Compensation Commission	In writing within 30 days, excusable	Disability—within 1 year after injury or last payment. Death—within 1 year after death or claimant should know relation to employment	Compensation without award except in disputed cases. Disputed cases settled by Commission	Award is effective upon filing, enforceable by High Court		By Commissioner on application or own motion within 1 year after last payment or rejection of claim. At any time in case of fraud	Subject to approval of Commissioner or High Court. Court may assess costs against party that proceeds without reasonable grounds
ARIZONA	Industrial Commission	Forfeith, excusable	Within 1 year after injury or accrual of right, excusable. Claim not barred if compensation has commenced	By Commission	Lien upon filing	By administrative law judge within 30 days	By administrative law judge on application	Commission may regulate, maximum 25% of award
ARKANSAS	Workers' Compensation Commission	Within 60 days, excusable	Within 2 years after injury or death	Compensation without award except in contested claims. Disputed claims heard by Commission, member, or administrative law judge, upon application	Preference rights of unpaid wage claims	By Commission from decision of member of administrative law judge within 30 days	By Commission with 6 months of end of compensation period except in joint settlements	Siding scale subject to approval by Commission, fees awarded in addition to compensation. Maximum \$100 on appeal to full Commission, \$250 on appeal to Court
CALIFORNIA	Division of Industrial Accidents handles administration. Appeals Board handles judicial functions	In writing within 30 days, excusable	Disability—within 1 year from date of injury or last payment. Death—within 1 year after death to 240 weeks after injury	By agreement on approval of Appeals Board which may order hearing. Disputed cases settled by Appeals Board on application	Judgment on filing in Superior Court	By Appeals Board from referee's findings	Reconsideration within 20 days, no modification after 5 years	Reasonable fee fixed by Appeals Board. If Court finds no reasonable basis for appeal, Appeals Board may award fees as supplementary award
COLORADO	Director, Division of Labor	Within 2 days, excusable if claimant loses one day's compensation for each day's delay	Within 3 years after injury or death. Does not apply if compensation paid or if reasonable excuse in 5 years	By agreement approved by Division of Labor. Disputed claims settled by referee	Judgment on filing, copy of award against uninsured employer in District Court	By Industrial Commission from referee's decision	By Division of Labor within 6 years from date of accident or 2 years after last payment (whichever is later)	Upon request, director may approve reasonableness of fee, 25% in contested case, more in difficult case on appeal
CONNECTICUT	Workers' Compensation Commissioners (one for each of 7 districts plus chairman and one at large)	Forfeith, excusable	Within 1 year after accident. If death results within 2 years after accident or disease—within 2 years from accident or disease, or within 1 year from death (whichever is later)	By agreement, on approval of Commission. Disputed cases settled by Commission	Judgment on filing in Superior Court. Award has preference rights of unpaid wages	By Compensation Review Division within 10 days	By Commissioner during compensation period	Subject to approval of Board
DELAWARE	Industrial Accident Board	If notice not given in 90 days no compensation due until notice or knowledge of injury	Within 2 years after injury, death, or 5 years from last payment	By agreement, on approval of Board. Disputed cases settled by Board after hearing	Preference rights of unpaid claims		By Board at any time, but no more often than once each 6 months	30% of award or \$2,250, whichever is less. Reasonable fee on appeals
DISTRICT OF COLUMBIA	D.C. Office of Workers' Compensation	In writing within 30 days, excusable	Within 1 year after accident or last payment	By Mayor	Award is effective upon filing	By Mayor on application or own motion	By Mayor within 1 year after last payment or denial of claim	Approval by Mayor
DISTRICT OF COLUMBIA GOVERNMENT WORKERS	D.C. Office of Workers' Compensation	48 hours, extended for cause	Within 60 days after injury or 1 year after death, extended for cause	By Office of Workers' Compensation	Fund pays award	By administrator upon own motion or application at any time	By administrator	Subject to approval by administrator
FLORIDA	Division of Workers' Compensation	In writing within 30 days, excusable	Within 2 years after injury, death, or last payment	By agreement, but Division may investigate. Upon application Division must order hearing conducted by deputy commissioner	May be filed in proper court, execution or other process in Circuit Court		By deputy commissioner on application or own motion within 2 years after last payment or claim rejection	Subject to approval of Division, deputy commissioner or court, claimant pays own fee
GEORGIA	Board of Workers' Compensation	Within 30 days, excusable	Within 1 year after injury, death, or medical care, or within 2 years after last payment	Compensation without award except in contested claims. Disputed claims settled by Board, Director, or administrative law judge	Judgment in Superior Court on certified copy of award	By Board on application within 30 days	By Board on application or own motion within 2 years after final payment. Final settlement may not be modified	Fees in excess of \$100 subject to Board approval. Board may assess attorney's fees against any party who proceeds without reasonable grounds or fails to provide income benefits as required
GUAM	Workers' Compensation Commission	In writing within 30 days, excusable	Within 1 year after injury, death, or last payment	Compensation without award within 14 days after knowledge of injury or death. Controverted claims are settled by the Commission	Lien against assets of carrier or employer. Enforcement of final order by Island Court		By Commissioner within 1 year after last payment or rejection of claim, on own motion or application	Subject to approval of Commissioner or Court on review. Costs assessed against party who proceeds without reasonable grounds
HAWAII	Director of Labor and Industrial Relations	Forfeith, excusable	2 years after date on which effects of injury become manifest, but within 5 years after date of accident causing injury	Agreements must be prepared by Director in accord with law. If not agreed, Director makes award	Judgment on filing in Circuit Court	By Appellate Board within 20 days	By Director on own motion or on application of any party within 20 days	Subject to approval of Director. Maximum 10% of average benefit duration multiplied by claimant's weekly benefit amount
IDAHO	Industrial Commission	In writing within 60 days after accident, excusable	Within 1 year after accident or death	By agreement, subject to approval of Commission. Disputed cases settled by Commission or member after hearing	Judgment in District Court on filing certified copy of award	By Commission within 20 days	By Commission within 5 years of accident, but no more often than once in 6 months	Subject to approval of Commission

Alaska: "Burden of proof shifted to claimant if late notice excused."

Ariz.: "Limit on filing runs from when injury is manifest or when claimant knows should know relation to employment, tolled during incapacity."

Ark.: "A 'joint settlement' is authorized where all parties petition an immediate final settlement by the Commission. In such cases, an order of the Commission is final except as to appeals to the courts, but an order of the Commission allowing or denying such petition is not appealable."

Conn.: "Lack of notice excused if voluntary agreement, or medical treatment within 1 year after accident."

***Within 3 years after first manifestation of disease (see Chart IV).

***The 9 Commissioners comprise the Review Division (appointed in 3-member panels).

Gu.: "7 percent interest on all accrued amounts of awards; interest runs on Superior Court judgment in event of appeal."

CHART X ☐ ADMINISTRATION—NOTICE TO EMPLOYER—CLAIMS ☐ January 1, 1983 (continued)

JURISDICTION	ADMINISTRATION	NOTICE TO EMPLOYER	CLAIM FILING	HOW CLAIMS ARE SETTLED	AWARD EFFECT	REVIEW BY AGENCY	MODIFICATIONS	ATTORNEY'S FEES
ILLINOIS	Industrial Commission	Within 45 days. For radiological injury, within 90 days after employee knows or suspects that he has received an excessive dose of radiation.	Barred after 3 years from injury or death, or 2 years after last payment, whichever is later. Radiation—within 25 years after last exposure for injury, within 1 year after death.	By agreement, subject to approval of Commission, after 7 days from injury. Disputed cases settled by arbitrator or arbitration committee.	Judgment in Circuit Court on filing certified copy of award.	By Commission from decision of arbitrator or arbitration committee within 15 days.	By Commission within 30 months of agreement or award.	Maximum 20% of compensation paid, up to 364 weeks of permanent total disability. Unreasonable or vexatious delay by employer or carrier in payment of compensation may be penalized by payment of attorney's fees.
INDIANA	Industrial Board	In writing as soon as practicable, excusable. Compensation accrues from date of notice if given after 30 days.	Within 2 years after injury or death. Radiation—2 years after worker knows should know relation to employment.	By agreement, after 7 days from injury or at any time after death, subject to approval of Board. Disputed cases settled by Board or member on application.	Judgment in Circuit or Superior Court on certified copy of agreement or award. Preference rights of unpaid wages.	By full Board within 20 days after award.	By Board on application or own motion, within 2 years after last day for which compensation is paid.	Subject to approval of Board. Paid-out of award unless paid later by employer or lack of diligence, in which case minimum fee is \$150.
IOWA	Industrial Commissioner	Within 90 days after injury unless employer has actual knowledge.	Within 2 years after injury or 3 years after last payment.	Compensation without award except in contested cases, but claim may be settled by agreement, subject to approval of Industrial Commissioner.	Judgment in District Court on filing certified copy of agreement or decision.	By Commissioner from decision of Deputy Commissioner within 20 days.	By Commissioner within 3 years from last payment, award, or noncommuted settlement.	Subject to Commissioner's approval.
KANSAS	Division of Workers Compensation	Within 10 days, excusable.	Claim must be served on employer within 200 days after accident or last payment, or within 1 year after death for death within 5 years after accident. Application for hearing must be filed with Division within 3 years after accident or within 2 years after last payment, whichever is later.	By agreement, subject to approval of Director. Disputed cases settled by administrative law judge after hearing, subject to an appeal to the Director.	Judgment in district court on filing certified copy of award.	By Director at any time before final payment, on application.	By Director, before final payment and within 1 year of prior approval, on application.	Maximum 25% of recovery in matters before Director or district court, subject to approval of Director pursuant to written contract which must be filed.
KENTUCKY	Workers Compensation Board	In writing as soon as practicable, excusable.	Within 2 years after accident or death. If paid voluntarily, within 2 years after suspension or accident, whichever is later. Limits tolled during minority or incapacity.	By agreement, subject to approval of Board. Disputed cases settled by full Board.	Judgment in Circuit Court on filing certified copy of award or approved agreement.	By Board.	By Board at any time, on application or own motion.	Subject to Board's approval. Maximum \$6,500, except \$750 maximum in uncontested occupational disease case.
LOUISIANA	Courts	In writing within 6 months (12 if employer fails to post requirements), excusable.	Within 1 year after accident, death, or last payment, 2 years for delayed development of injury, 3 years from last payment in cases of partial disability.	By agreement, subject to approval of court. Disputed cases settled by the courts.	Settlement approved by court entered as judgment.		By court after 6 months or any time by agreement.	Subject to court approval, maximum 20% of award on first \$10,000 and 10 percent of any additional amount.
MAINE	Workers Compensation Commission	Within 30 days after injury, within 3 months after death, excusable.	Within 2 years after accident or last payment, or within 1 year after death. If mistake of fact, within a reasonable time, but no more than 10 years after last payment in any case.	By agreement, subject to approval of Commission. Disputed cases determined by commissioner after hearing.	Award is judgement.	By single commissioner, then by Appellate Division.	On application, approved lump sum is final.	Commission may assess against employer if services were necessary.
MARYLAND	Workmen's Compensation Commission	Within 10 days after injury (30 days for hernia), within 30 days after death, excusable.	Within 60 days after disability begins, excusable to 2 years. Within 18 months after death. Not barred for 3 years if treated by physician acting for employer.	By agreement, subject to approval of Commission. Disputed cases settled by Commission or arbitration committee, hearing required on application.		By Commission from arbitration committee on application.	From final award, on application or own motion within 5 years.	Subject to approval of Commission.
MASSACHUSETTS	Division of Industrial Accidents, under supervision of Industrial Accidents Board	In writing as soon as practicable, excusable.	Within one year after injury or death, excusable.	By agreement, subject to approval of Division. Disputed cases settled by member of Division after preliminary conference prior to hearing.	Decree in Superior Court on certified copy of agreement or decision.	By reviewing Board from decision of member.	On application at any time, limited in death cases.	Subject to approval of Division.
MICHIGAN	Bureau of Workers Disability Compensation	Within 90 days after injury, excusable.	Within 2 years after injury, death, recovery from incapacity, or after worker knows should know relation of disease to employment.	Compensation without award except in contested cases. Disputed cases settled by administrative law judge (by Bureau if "small dispute").	Judgment in Circuit Court on filing certified copy of award.	By Appeal Board within 15 days from decision of administrative law judge.		Subject to approval of Bureau based on administrative rules and schedules.
MINNESOTA	Commissioner, Department of Labor and Industry as head of Workers Compensation Division	In writing within 14 days unless employer has actual knowledge, excusable up to 180 days (later if mental or physical incapacity).	Within 3 years after employer's report, no more than 6 years from date of injury. Radiation—within 3 years after employee knows cause of disability.	By agreement prior to hearing. Disputed cases settled by administrative law judge after hearing subject to appeal.	Judgment in District Court on filing certified copy of award.	By Court of Appeals within 30 days from decision of compensation judge.	By petition to Court of Appeals to vacate.	Subject to approval by compensation judge or district court judge.
MISSISSIPPI	Workmen's Compensation Commission	Within 30 days, excusable.	Within 2 years after injury or death.	Compensation without award except in contested claims. Disputed claims heard by Commission member or referee on application.	Lien against assets and has preference rights of unpaid wages.	By Commission within 20 days from decision of administrative judge.	By Commission on application or own motion within 1 year from last payment or claim rejection.	Subject to approval of Commission or court.
MISSOURI	Industrial Commission through Division of Workers Compensation	In writing within 30 days unless employer has actual knowledge. Division notifies worker of rights.	Within 2 years after injury or death, or last payment (3 years if no report filed).	By agreement, after 7 days from injury or death, subject to approval of administrative law judge or Commission. Disputed cases settled by administrative law judge.	Judgment in Circuit Court on certified copy of memorandum of agreement, order, decision, or award of Division or Commission.	By Industrial Commission within 20 days.	By Commission on application or own motion, after notice and hearing.	Commission or Division may allow reasonable fee.

Ill. "Death from radiation must occur within 2 years from last exposure if not compensation or Bureau within 2 years after injury, death, paid.

Kans. "If employer fails to report accident within 28 days, claim must be served on employer within 1 year after accident, and application must be filed with Division within 3 years after employer reports accident. *Childress v. Childress Printing Co.*, 597 P.2d 637 (Kansas S. Ct. 1979).

Maine. "Overpayments are made pending review and may be recovered in lawsuit by employer if employee resumes work. Any award or agreement may be reopened within 30 days on grounds of newly discovered evidence.

Mis. "Employer or insurer who receives completed claim form must send it to Commission immediately and may not advise claimant that claim is denied.

Mch. "No claim valid unless made within 2 years after injury, manifestation of disability, or last employment, whichever is later. Deadline suspended if worker receives any disability benefits.

Minn. "Employer who threatens to discharge claimant for filing claim is subject to civil suit for treble damages, costs, and attorney fees.

"In controversy with insurer, successful claimant may be awarded 25% of first \$4,000 compensation and 20% thereafter, up to a maximum fee of \$6,500.

CHART X □ ADMINISTRATION—NOTICE TO EMPLOYER—CLAIMS □ January 1, 1983 (continued)

JURISDICTION	ADMINISTRATION	NOTICE TO EMPLOYER	CLAIM FILING	HOW CLAIMS ARE SETTLED	AWARD EFFECT	REVIEW BY AGENCY	MODIFICATIONS	ATTORNEY'S FEES
MONTANA	Division of Workers Compensation	For injuries not resulting in death within 60 days unless employer has actual knowledge	Verified claim within 12 months after accident. Division may grant additional 24 months	By agreement subject to approval of Division. Disputed cases settled by Workers Compensation Judge	Lien on deposit of employer or insurer	By W.C. Judge 10 days to disprove final compromise settlement	By W.C. judge within 4 years after final award. Final compromise settlement not reviewable	May be fixed by Division or W.C. judge. Added to successful claimant's award on appeals
NEBRASKA	Workmen's Compensation Court	In writing as soon as practicable, excusable	Within 2 years after injury, death, removal of incapacity, or last payment. For minors within 2 years after becoming 19	By agreement with consent of insurer, but must be in accordance with Act. Disputed claims submitted to Compensation Court for hearing. Lump sums approved by Compensation Court and district court	Judgment in District Court on filing certified copy of order or award	By Compensation Court within 14 days after order or award of Judge	By agreement, subject to approval of Compensation Court, or on application after 6 months by Compensation Court	Subject to approval of judge of Compensation Court or Supreme Court (for lien purposes)
NEVADA	Industrial Commission	Immediately, excusable within 30 days from accident 60 days after death	Within 90 days after accident, 1 year after death	By agreement, in conformity with Act subject to approval of insurer		By Dept. of Administration Hearing Officer, then to Appeals Officer	On application within 1 year after injury or accrual of right. Medical investigation may be conducted at any time based on changed circumstances	District Court may assess costs and attorney's fees if appeal is frivolous
NEW HAMPSHIRE	Department of Labor	In writing as soon as practicable and before voluntarily leaving employment	Within 90 days after injury, death, removal of incapacity or last payment. Claims barred unless notice given within 2 years from date of accident	Compensation without award except in contested cases		By Commissioner Special review board for state employees	Commissioner of Labor may modify no later than 4 years after last payment, award, or last medical payment	Subject to approval of Labor Commissioner or court. Attorney's fees and interest to successful claimant on appeal
NEW JERSEY	Division of Workers Compensation	Within 14 days, excusable up to 90 days. Separate provisions for occupational diseases	Within 2 years after accident, death, last payment or default. Separate provisions for occupational diseases	By agreement, subject to approval of Division. Disputed cases settled by Division	On filing with county clerk has effect of County Court judgment, may be docketed in Superior Court		By agreement or on application for review within 2 years of last payment. Settlement approved by compensation judge is final and conclusive	Not over 20 percent before Division. Court may fix reasonable fee on appeal *
NEW MEXICO	Courts*	In writing within 30 days, excusable up to 60 days and for knowledge	Within 1 year after notice, death, or failure to pay. Time limit tolled while in same employment	By agreement, subject to approval of District Court. Disputed cases settled by court	Award is judgment		Provision only for decrease or termination	10 percent except on successful contest. Court may allow additional fee payable by employer
NEW YORK	Workers Compensation Board	In writing within 30 days, excusable	Within 2 years after accident or death. When advance payment is made, claim is not barred	Compensation without award within 18 days after disability, except in contested claims. Disputed claims settled by referee or Board. Hearing is mandatory upon application	Payment within 10 days after decision, except in event of appeal. Judgment on filing certified copy of award in default	By Board on application or own motion	By Board at any time. Subject to special conditions	As a lien on award if approved by Board
NORTH CAROLINA	Industrial Commission	In writing within 30 days, excusable	Within 24 months after accident	By agreement, after 7 days from injury, or at any time in case of death, subject to approval of Commission. Disputed cases settled by Commission or member	Judgment in Superior Court on filing certified copy of agreement or decision	By Commission upon application within 15 days after award	By Commission on application or own motion within 2 years	Subject to approval of Commission. Commission may assess attorney's fees and court costs against party who proceeds without reasonable ground
NORTH DAKOTA	Workmen's Compensation Bureau	None required	Within 1 year after injury or 2 years after death	By Bureau	Fund pays award and has liquidated claim against defaulting uninsured employers		By Bureau at any time on application or own motion	Determined by schedule adopted by Bureau, trial judge fixes on appeal but must give consideration to amount allowed by Bureau
OHIO	Bureau of Workers Compensation and Industrial Commission	None required except to self-insurers	Within 2 years after accident, injury, or death	By Industrial Commission after hearing	Fund or self insurer pays award after judgment	By regional review board, then Commission, within 20 days from receipt of decision	By Commission or Bureau within 6 years after injury (no lost time) or 10 years from last payment or death (lost time)	Court fixes on appeals and in disputes. Maximum 20% of award up to \$3,000, plus 10% of balance, maximum \$1,500 *
OKLAHOMA	Workers Compensation Court and an Administrator	In writing within 30 days, excusable	Within 1 year after injury or last payment. Death claims—within 1 year after death or last payment **	By agreement, after 3-day disability subject to approval of Workers Compensation Court. Disputed cases settled by Court	Judgment in District Court on certified copy after 10-day default	By Workers Compensation Court within 10 days	By W.C. Court on application or own motion at any time. May reopen case within maximum number of weeks for which award is possible	W.C. Court must approve and direct payment, 10% maximum for temporary disability, 20% maximum for permanent disability or death
OREGON	Workers Compensation Department	In writing within 30 days, excusable	Within 1 year after accident, last payment, or last date of medical services	Compensation due within 14 days after knowledge of injury or death. Insurer has 60 days to accept or deny claim but must pay up to date of denial if denied after 14 days. Department makes permanent disability award	Payment on award within 30 days after order	By referee on application within 60 days, further appeal to Board within 30 days	By Board on own motion or on application of employee within 5 years	Subject to approval of hearing officer, Bureau, or Court. Board establishes fee schedule
PENNSYLVANIA	Bureau of Workers Compensation	Within 21 days, excusable to 120 days. No compensation due until notice is given	Within 3 years after injury, death, or last payment	By agreement, after 7 days from injury, subject to Department approval. Disputed cases heard by Referee with appeals to Board	Judgment in court on filing award or agreement	By Appeal Board from referee's decision within 20 days	By Department on application within statutory time limits	Subject to approval of referee, Appeal Board, or court
PUERTO RICO	Manager of the State Insurance Fund and Industrial Commission	None required	As soon as possible	By the Manager under rules he makes	Fund pays award	By Manager at any time	By Commission, within 30 days after copy of Manager's decision is served on the employee. Reconsideration on own motion or upon petition of interested party within 10 days	No attorneys required in hearings, but if requested by employee, they are paid a percentage of the award fixed by the Commission, court, or Fund
RHODE ISLAND	Workers Compensation Commission	In writing within 30 days, excusable	Within 3 years after injury, manifestation, knowledge of injury, death, or removal of incapacity	By agreement, By Commissioner with appeal to full Commission	Agreement enforceable by Commission and Superior Court	By Commission within 48 hours	By Commission during compensation period or within 10 years after compensation period has ceased, on own motion or on petition of either party	Subject to approval of Commission. Commission to issue fee schedules following legislative review

Nev. *Effective July 1, 1982, Commission is replaced by Department of Industrial Relations, and State Insurance Fund is replaced by State Industrial Insurance System.

N.J. *Based on excess over amount of award tendered in good faith a reasonable time before a hearing.

N.M. *Occupational Disease Act administered by Superintendent of Insurance.

Ohio *Commission must fix attorney's fees in controversies, approve method of payment, and allow a reasonable fee upon application for review. In other cases, fees are negotiated between client and attorney.

Okl. *If employer has actual notice of injury, statute of limitations is tolled until employer informs worker of right to file a claim.

**Employer that discriminates against claimant is liable for damages.

Pa. *Workers Compensation Advisory Council recommends changes in administration of law.

CHART X □ ADMINISTRATION—NOTICE TO EMPLOYER—CLAIMS □ January 1, 1983 (continued)

JURISDICTION	ADMINISTRATION	NOTICE TO EMPLOYER	CLAIM FILING	HOW CLAIMS ARE SETTLED	AWARD EFFECT	REVIEW BY AGENCY	MODIFICATIONS	ATTORNEY'S FEES
SOUTH CAROLINA	Industrial Commission—2 divisions: Judicial Division and Administration Department	In writing as soon as practicable or within 90 days, excusable.	Within 2 years after accident or 1 year after death.	By agreement, after 7 days from date of injury or any time in case of death, subject to approval of Commission or member, after hearing, upon application.	Judgment in Common Pleas Court on certified copy of agreement or award.	By 3-member panel within 14 days after award.	By Commission on application or own motion within 12 months from last payment.	Subject to approval of Commission.
SOUTH DAKOTA	Division of Labor and Management	In writing as soon as practicable within 30 days, excusable.	Within 2 years after notice of intention to deny coverage.	By agreement, if not disapproved by Commissioner within 20 days. Disputed cases settled by Commissioner after hearing, upon application.	Judgment in Circuit Court on certified copy of agreement or decision.	By Commissioner within 10 days.	By Commissioner on application.	Subject to approval of Commissioner.
TENNESSEE	Courts and Workers Compensation Division	In writing within 30 days, excusable up to 1 year.	Within 1 year after accident. Dependents—within 1 year after employer's notice accepting liability.	By agreement, subject to approval of County Court. Disputed cases determined by Circuit Court.	Judgment in Circuit Court on approved agreement.		By court, on application after 6 months. Award payable for more than 6 months may be modified by agreement approved by court.	Subject to approval of court; maximum 20% of recovery or award.
TEXAS	Industrial Accident Board	Within 30 days, excusable.	Within 6 months after injury, death, or removal of incapacity, excusable.	By agreement, in conformity to Act, subject to approval of Board (compromise agreements may be approved). Disputed cases settled by Board.	Collectible by suit.		By Board at any time during compensation period, on application or own motion.	Subject to approval of Board or court but not to exceed 25% of recovery. No attorney fees in uncontested permanent total disability cases.
UTAH	Industrial Commission	Within 48 hours, excusable up to 1 year.	Within 1 year after death, within 3 years after disability or last payment. Payment of benefits after filing injury report tolls limitation on claim filing until denial of liability.	By Industrial Commission.	Lien from time of docketing in District Court.	By Commission within 15 days.	By Commission at any time. Award may be reviewed upon showing change within 2 years for silicosis—if complicated, 5 years.	Fixed by Commission.
VERMONT	Commissioner of Labor and Industry	In writing as soon as practicable, excusable.	Within 6 months after injury, death, loss of damage suit, or removal of incapacity, excusable.	By agreement, in conformity to Act, subject to approval of Commissioner (compromise agreements may be approved). Disputed cases settled by Commissioner.	Judgment in county court on certified copy of agreement or award.	By Commissioner on application within 6 months.	By Commissioner on own motion or application at any time.	Commissioner may award to successful claimant, and on appeal, 12% interest on contested part of award.
VIRGIN ISLANDS	Commissioner of Labor	In writing within 48 hours, extendable up to 30 days. Occupational disease—within 30 days from first manifestation, extendable to 90 days.	Within 60 days after injury.		First priority lien on employer's assets.	By Deputy Commissioner.	By Deputy Commissioner.	Subject to approval of Commissioner.
VIRGINIA	Industrial Commission	In writing within 30 days.	Within 2 years after accident or 1 year after death.	By agreement, after 10 days from injury or at any time after death, subject to approval of Commission. Disputed cases settled by Commission or member after hearing upon application.	Judgment in Circuit Court on certified copy of agreement or award.	By full Commission within 20 days after opinion.	By Commission on own motion or application within 2 years of last payment or 3 years for scheduled injuries.	Subject to approval of Commission.
WASHINGTON	Department of Labor and Industries	Immediately.	Within 1 year after injury, death, or notice of occupational disease.	By Department of Labor and Industries.		By Board of Industrial Insurance Appeals within 60 days on application.	By Department within 7 years, on application or own motion, 10 years for loss of vision claims.	By Appeals Board upon application, renewable by Superior Court.
WEST VIRGINIA	Workers' Compensation Commissioner	Immediately.	Within 2 years after injury or death; disease claims—within 3 years after exposure or knowledge, whichever is later, or death, extended for cause.	By Commissioner, hearing upon application.		By Appeal Board within 30 days, or 60 days without notice.	By Commissioner within set time limits, on written application, subject to review by Appeal Board.	Maximum fees established, limited to 20% of award up to 208 weeks of benefits.
WISCONSIN	Workers' Compensation Division	Within 30 days, excusable.	Within 2 years after injury or death. Excusable if employer knew of disability. All rights barred after 12 years from injury, death, or last payment.	By payment of amount due. Compromise subject to review by Department within 1 year. Disputed cases settled by Department.	Judgment in Circuit Court on certified copy of award.	By Commission within 21 days from examiner.	By Commission on its own motion within 21 days. Compromises may be modified within 1 year if occupational disease, subject to review within 6 years.	Limited to 20% of amount in dispute. If admitted liability, not to exceed 10% or \$100.
WYOMING	Courts and Division of Workers' Compensation	Within 24 hours (also within 20 days to the court), excusable.	Within 1 year after injury or discovery of injury not readily apparent.	By District Court with right of jury trial in certain cases.			By court within 2 years or during time payments are made on application.	Limited to 10% of recovery if unusual, complex case, may get a reasonable fee.
F.E.C.A.	Division of Federal Employees' Compensation, O.W.C.P., U.S. Department of Labor	48 hours, extended for cause.	Within 60 days after injury or 1 year after death, extended for cause.	By Division.	Fund pays award.	By Secretary of Labor on own motion or application at any time.	By Secretary of Labor or Employees' Compensation Appeals Board on review.	Subject to approval by Division or Appeals Board.
LONGSHORE ACT	Division of Longshore and Harbor Workers' Compensation, O.W.C.P., U.S. Department of Labor	Within 30 days.	Within 1 year after injury or death.	By Deputy Commissioner (by agreement) or administrative law judge (formal hearing).	Award is effective on filing.	By Deputy Commissioner upon own motion or application and by Benefits Review Board on Appeal.	By Deputy Commissioner or court on review.	Approval by Deputy Commissioner, court, or Review Board where service given.

¹ Modification of award due to aggravation or recurrence of injury may be based on earnings and benefits in effect at that time.

Texas: Employer who discriminates against claimant is liable for damages.

Utah: Claim must be filed within 8 years after injury.

Man.: Government-appointed advisor injury.

Wash.: Provision is made for recoupment of benefit if paid through mistake or fraud.

W. Va.: Within 2 years for fatal or non-fatal cases, 5 years for temporary total disability or in cases of no awards.

CHART X □ ADMINISTRATION—NOTICE TO EMPLOYER—CLAIMS □ January 1, 1983 (continued)

JURISDICTION	ADMINISTRATION	NOTICE TO EMPLOYER	CLAIM FILING	HOW CLAIMS ARE SETTLED	AWARD EFFECT	REVIEW BY AGENCY	MODIFICATIONS	ATTORNEY'S FEES
ALBERTA	Workers' Compensation Board	As soon as practicable	Within 1 year after injury or death, excusable	By Claims Adjudicator	Fund pays award	By review committee on request, then by full Board, at any time	By Board at any time on application or own motion	
BRITISH COLUMBIA	Workers' Compensation Board	As soon as practicable	Within 1 year after injury, death, or disablement by disease, excusable *	By Board	Fund pays award	By Board of Review within 90 days. From Board of Review to commissioners of the Board within 60 days	By Board at any time	Board may award expenses of proceeding to successful party **
MANITOBA	Workers' Compensation Board	In writing as soon as practicable but no later than 30 days, excusable	Within 12 months after accident or death, excusable	By Board	Fund pays award	At any time	By Board	(+)
NEW BRUNSWICK	Workmen's Compensation Board	As soon as practicable	Within 1 year after injury or 6 months after death, excusable	By Board	Fund pays award	At any time	By Board ¹	
NEWFOUNDLAND	Workers' Compensation Board	As soon as practicable	Within 6 months after injury or death	By Board	Fund pays award	At any time	By Board	
NORTHWEST TERRITORIES	Workers' Compensation Board	As soon as practicable	Within 1 year after injury or death, excusable if as soon as practicable, maximum 3 years after death	By Board	Fund pays award	At any time	By Board	
NOVA SCOTIA	Workers' Compensation Board	As soon as practicable	Within 6 months after injury or death, excusable	By Board	Fund pays award	At any time	By Board at any time or Workers' Compensation Appeal Board within 90 days	(+)
ONTARIO	Workmen's Compensation Board	As soon as practicable	Within 6 months after injury or death	By Board	Fund pays award	At any time	By Board	
PRINCE EDWARD ISLAND	Workers' Compensation Board	As soon as practicable	Within 6 months after injury or death	By Board	Fund pays award	At any time	By Board ¹	
QUEBEC	Commission de la Santé et de la Sécurité du Travail	As soon as practicable	Within 6 months after injury or death	By Commission	Fund pays award	At any time *	By Commission ¹	
SASKATCHEWAN	Workers' Compensation Board	As soon as practicable, excusable	Within 6 months after injury or death, excusable	By Board	Fund pays award	At any time	By Board	(+)
YUKON TERRITORY	Workers' Compensation Board	As soon as practicable	Within 1 year after injury or death, excusable if proof of disability or death is furnished within 3 years after accident and claim is a just one	By Board	Fund pays award	By Board at any time	By Board	
CANADIAN MERCHANT SEAMEN'S ACT	Merchant Seamen Compensation Board	As soon as practicable	Within 6 months after injury or death, excusable	By Board	Judgment in county district or Quebec Superior Court on certified copy of award	At any time	By Board	Board may award expenses of proceeding to successful party

¹Modification of award due to aggravation or recurrence of injury may be based on earnings and benefits in effect at that time.

B.C. *After 3 years, compensation is payable only from date of filing.

**Government-appointed advisors handle workers' and employers' claims.

Man. *Government-appointed advisor handles workers' claims.

N.S. *Gov.-in-Council may appoint counselor to assist claimants.

Quebec. *Claimant may appeal from Commission to Social Affairs Commission.

Sask. *Government-appointed advisor handles workers' claims.

CHART XI

EMPLOYER'S REPORT OF ACCIDENTS

January 1, 1983

JURISDICTION	KEEPING OF ACCIDENT RECORDS BY EMPLOYER ¹	REPORTING REQUIREMENTS ¹		PENALTIES FOR FAILURE TO REPORT		
		INJURIES COVERED	TIME LIMIT	FINES		IMPRISONMENT
				MAXIMUM	MINIMUM	
ALABAMA	Required	Death or disability exceeding 3 days	Within 15 days			
ALASKA	Required	Death or injury or disease or infection	Within 10 days	1-1		
AMERICAN SAMOA	Required	Injury or death	Within 10 days*	\$500		
ARIZONA	Not required	All injuries	Immediately and as required			Petty offense
ARKANSAS	Required	Injury or death	Within 10 days and as required	100		
CALIFORNIA	Required	Death cases or serious injuries	Immediately*	100	25	
		1 day or more than first aid	As prescribed			
		Occupational diseases or pesticide poisoning	Within 5 days			
COLORADO	Required	Death cases	Immediately	100 per day		
		All injuries causing lost time of 3 days or more*	Within 10 days*			
CONNECTICUT	Required	Disability of 1 day or more	7 days, or as directed	250		
DELAWARE	Required	Death cases or injuries requiring hospitalization	Within 48 hours*	100	25	Up to 20 days
		Other injuries	Within 10 days*			
DISTRICT OF COLUMBIA	Required	All injuries	Within 10 days	1,000		
FLORIDA	Required	Death cases	Within 24 hours*	100		
		All injuries	Within 7 days and as required*			
GEORGIA	Required	All injuries requiring medical or surgical treatment or causing over 7 days' absence	Within 10 days*	100**		
GUAM	Required	Injury or death	Within 10 days*	500**		
HAWAII	Required	Death cases	Within 48 hours	100		Up to 90 days
		1 day of absence	Within 7 days			
IDAHO	Required	All injuries requiring medical treatment or causing 1 day's absence	As soon as practicable but not later than 10 days after the accident ²	300		Up to 6 months
ILLINOIS	Required*	Death cases or serious injuries	Within 2 working days	200	100	Misdemeanor
		Disability of over 1 day	Between 15th and 25th of month			
		Permanent disability	Soon as determinable			
INDIANA	Required	Disability of 1 day or more	Within 7 days*	500		
IOWA	Required	Disability of more than 3 days	Within 4 days	100	100	
KANSAS	Not required	Death cases	Within 28 days	1-1		
		Disability of 1 day or more	Within 28 days			
KENTUCKY	Required	Disability of more than 1 day	Within 7 days ²	25		
LOUISIANA	Not required	No statutory provision				
MAINE	Not required	All injuries	Within 7 days	100		
MARYLAND	Not required	Disability of more than 3 days	Within 10 days	50		
MASSACHUSETTS	Required	All injuries	Within 48 hours ²	100		
MICHIGAN	Required	Death cases, disabilities of 7 days or more, and specific losses	Immediately			
MINNESOTA	Required	Death or serious injury	Within 48 hours	100*	50	
		Disability of 3 days or more	Within 15 days			
MISSISSIPPI	Required	Disability of one day or working shift	Within 10 days	100*		
MISSOURI	Not required	Death or disability of more than 3 days	Within 10 days*	500	50	1 week to 1 year
MONTANA	Required	All injuries	Within 6 days*			
NEBRASKA	Required	Death cases*	Within 48 hours*	1,000*		Up to 6 months
		All injuries*	Within 7 days*			
NEVADA	Required	All injuries*	Within 6 working days*	250, each failure		
NEW HAMPSHIRE	Required	All injuries	Within 5 days	100	25	
NEW JERSEY	Required	All injuries*	Immediately	50	10	

¹Federal Occupational Safety and Health Act of 1970 established uniform requirements and forms to meet its criteria for all businesses affecting interstate commerce to be used for statistical purposes and compliance with the Act. 12 U.S.C. §661.

²Supplemental report required after 60 days, or upon termination of disability.

³Attending physician also required to make periodic reports to Board.

⁴Supplemental report within 24 hours after returning to work or knowledge that worker is able to return.

Alaska: 20% of unpaid amounts due. Supplemental report due within 1 year after injury; then annually, or after final payment.

Am. Samoa: Employer must also notify Commissioner upon first payment and suspension of payment, and within 16 days after final payment.

Calif.: To Safety Division, in form required by federal Occupational Safety and Health Act.

Colo.: Failure to report tolls time limit for claims. Disability of less than 3 days must be reported to insurer.

Del.: Supplemental report due on termination of disability.

Fla.: Supplemental report within 30 days after final payment.

Ga.: Supplemental report on first payment and suspension of payment, and within 30 days after final payment.

**For each refusal or willful neglect to report.

Guam: Failure to report tolls limits for claims.

**For each refusal or willful neglect to report.

Ill.: To Safety Division, in form required by federal Occupational Safety and Health Act.

Ind.: Supplemental report within 10 days after termination of compensation period.

Kans.: Failure to report tolls time limit for claims. *Childress v. Childress Painting Co.* (Kans. App. 1979).

Miss.: Added to compensation.

Mo.: Supplemental report within 1 month after original notice to Division.

Mont.: Insurance carrier also required to report (by rule).

Neb.: Report may be made by insurance carrier or employer. Failure to report tolls time limits.

Nev.: Self-insured employers must report as required by administrator, Division of Industrial Insurance Regulation.

N.J.: Uninsured employers are required to report compensable injuries only. If insured, carrier is also required to make report.

CHART XI ☐ **EMPLOYER'S REPORT OF ACCIDENTS** ☐ **January 1, 1983** (continued)

JURISDICTION	KEEPING OF ACCIDENT RECORDS BY EMPLOYER ¹	REPORTING REQUIREMENTS ¹		PENALTIES FOR FAILURE TO REPORT		
		INJURIES COVERED	TIME LIMIT	FINES		IMPRISONMENT
				MAXIMUM	MINIMUM	
NEW MEXICO	Required	Compensable injuries*	Within 10 days	\$100	\$ 25	
		All injuries**	Within 30 days			
NEW YORK	Required	Disability of 1 day or more or requiring medical care beyond two first aid treatments	Within 10 days	500		
		All injuries	As required			
NORTH CAROLINA	Required	Disability of more than 1 day	Within 5 days ²	25	5	
NORTH DAKOTA	Required	All injuries	Within 1 week	500		
OHIO	Required	Injuries causing 7 days total disability or more	Within 1 week	250		Up to 30 days
OKLAHOMA	Required	All injuries causing lost time or requiring treatment away from worksite	Within 10 days or a reasonable time	500		
OREGON	Required	All serious injuries	Within 5 days	(-)		
PENNSYLVANIA	Required	Death cases	Within 48 hours	100		Up to 30 days
		Disability of 1 day or more	After 72 hours but not later than 10 days			
PUERTO RICO	Required	All injuries	Within 5 days	100		
RHODE ISLAND	Not required	Death cases	Within 48 hours	50		
		Disability of 3 days or more	Within 10 days ²			
SOUTH CAROLINA	Required	All injuries requiring medical attention	Within 10 days ²	50	10	
SOUTH DAKOTA	Required	All injuries	Within 10 days	100		Or 30 days
TENNESSEE	Not required	Disability of 7 days or more	Within 14 days	100	50	
TEXAS	Required	Disability of more than 1 day	Within 8 days ²	1,000		
UTAH	Required	All injuries	Within 1 week	500		
VERMONT	Required	Disability of 1 day or more or requiring medical care	Within 72 hours ²	25		
VIRGIN ISLANDS	Required	Injury or disease	Within 8 days	500		Up to 6 months
VIRGINIA	Required	All injuries	Within 10 days ²	250		
WASHINGTON	Not required	All injuries requiring medical attention	Immediately	200% of quarterly premium		
WEST VIRGINIA	Not required	All injuries	Within 5 days			
WISCONSIN	Required	Disability beyond 3-day waiting period	Within 4 days	100	10	
WYOMING	Required	All injuries	Within 10 days	100		Up to 6 months
F.E.C.A.	No provision	Death or probable disability	Immediately			
LONGSHORE ACT	Required	All accidents	10 days	500		
ALBERTA	Required	Disability of 1 day or more or requiring medical aid not covered by Alberta Health Care Insurance	24 hours ^{3,4}	500 per day	100 per day	
BRITISH COLUMBIA	No provision	Death cases	Immediately	(-)		
		All injuries	3 days ³			
MANITOBA	No provision	All injuries	3 days ^{3,4}	500*	50	
NEW BRUNSWICK	No provision	All injuries that disable or require medical aid	3 days ^{3,4}	50		
NEWFOUNDLAND	No provision	All accidents that disable or require medical aid	3 days	150		
NORTHWEST TERRITORIES	No provision	All accidents and deaths	3 days ²	250		
NOVA SCOTIA	No provision	All accidents that disable or require medical aid	3 days ³	50		
ONTARIO	Required	All accidents that disable or require medical aid	3 days ^{3,4}	250*	25*	
PRINCE EDWARD ISLAND	No provision	All accidents that disable or require medical aid	3 days	100	10 per day	
QUEBEC	Required for minor injuries	All accidents that disable or require medical aid	2 working days	600 plus fees	300 plus fees	
SASKATCHEWAN	No provision	All accidents	3 days ³	500*		
YUKON TERRITORY	First aid cases	All accidents in which workman is injured	3 days*	1,000		Failure to pay penalty, imprisonment of 6 months to 1 year in aggregate
CANADIAN MERCHANT SEAMEN'S ACT	No provision	All accidents that disable or require medical aid	60 days	500		Up to 12 months

N.M. *To the State Labor Commissioner.

**To the Insurance Department of the State Corporation Commission.

Oregon *25% additional compensation plus attorneys fees.

R.I. *Supplemental report upon termination of disability.

B.C. *Employer may be liable for full cost of claim.

Man. *Plus 50% of compensation payable.

N.W.T. *Supplemental report within 3 days after return to work or knowledge that worker is able to return.

Ont. *Employer may also be liable for additional fine up to \$200 payable to court.

Sask. *Plus percentage of assessment.

CHART XII

SECOND-INJURY FUNDS

January 1, 1983

JURISDICTION	INJURIES COVERED	PAYABLE BY EMPLOYER	PAYABLE BY FUND	SOURCE OF FUND	SPECIAL PROVISIONS
ALABAMA	Second injury which combined with prior permanent partial disability results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent total disability.	\$100 in death cases.	Employer must have knowledge of prior disabling injury affecting employability.
ALASKA	Second injury which added to pre-existing permanent physical impairment results in substantially greater disability than from second injury alone.*	Disability caused by second injury up to 104 weeks.	Compensation in excess of 104 weeks.	Up to 6% of compensation payable to fund. \$10,000 in no-dependency death cases; civil penalties.	Vocational rehabilitation expense payable from fund. Physical impairment as listed or would support an award of 200 weeks or more.
AMERICAN SAMOA	Second injury which combined with prior permanent impairment results in death or compensable disability greater than from second injury alone.	Benefits for first 104 weeks.	Benefits beyond first 104 weeks.	\$1,000 in no-dependency death cases, plus fines and penalties.	Employer must have prior knowledge of disability.
ARIZONA	Second injury involving loss of use of member or eye which added to pre-existing loss of use of member or eye results in permanent total disability. Also, aggravation of a pre-existing disease or condition whether or not work-related.	Disability caused by second injury.	Difference between compensation payable for second injury and compensation for combined disability. If earning capacity is reduced by more than 50%, fund pays half of award for reduced capacity in excess of 50%.	\$1,150 in no-dependency death cases. Commission may allocate up to 1-1/2% of yearly premiums to special fund to keep fund actuarially sound.	For aggravation of pre-existing condition, combined disability must be greater than 40%. Payments are also made from fund for vocational rehabilitation.
ARKANSAS	Second injury which added to previous permanent partial disability or impairment results in additional disability or impairment greater than from second injury alone.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent disability.	\$1,000 in no-dependency death cases. \$500 to Second Injury Fund and \$500 to Permanent Total Disability and Death Fund, added penalty of 15% of benefits if due to employer's violation of health or safety regulations.	Employer liable for combined disability of both injuries in same employment.
CALIFORNIA	Second permanent part of injury which added to pre-existing permanent partial disability results in 70 percent or more permanent disability. Second injury must account for 35 percent.*	Disability caused by second injury.	Difference between compensation payable for second injury and permanent disability.	Legislative appropriations and \$50,000 in each no-dependency death case or unpaid balance.	Payments are made by State Compensation Insurance Fund.
COLORADO	Second injury which added to pre-existing permanent partial disability results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent total disability.	\$15,000 in no-dependency or partial-dependency cases.	Amount payable by fund is limited to 1/2 of average wage loss, in case employee obtains employment while securing benefits.
CONNECTICUT	Second injury or disease which added to pre-existing injury, disease, or congenital causes results in permanent disability greater than from second injury alone.	Benefits for first 104 weeks, less compensation payable for prior disability.	Benefits beyond first 104 weeks, less compensation payable for prior disability.	Tax equal to 3-1/2% of compensation paid by carriers and self-insurers during preceding calendar year plus fines.	Tax imposed each time fund balance is reduced to \$500,000.
DELAWARE	Second injury or disease which added to existing permanent injury from any cause results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent disability.	Tax of 1% of premiums received by insurance carriers and equivalent charge on self-insurers.	Payments suspended when fund reaches \$85,000 and resumed when below \$35,000.
DISTRICT OF COLUMBIA	Second injury or disease which added to pre-existing injury, disease, or congenital causes results in permanent disability greater than from second injury alone.	Disability caused by second injury for first 104 weeks and first \$1,000 medical expenses.	Difference between compensation payable for second injury and permanent disability.	\$5,000 in no-dependency death cases or unpaid awards. Pro-rata assessments upon carriers and self-insurers based on paid losses. Fines and penalties.	
FLORIDA	Second injury or disease which merges with previous permanent physical impairment and results in substantially greater disability than from the second injury alone.		Fund reimburses employer for 60% of impairment benefits, 50% of wage-loss benefits during first 5 years after maximum medical improvements and 75% thereafter. PT benefits after 175 weeks. 75% of death benefits and funeral expenses, and 50% of first \$10,000 in temporary disability and medical benefits and 100% beyond \$10,000.	Pro-rata annual assessment upon net premiums of insurers and self-insurers.	Assessment must equal sum of immediate past 3 years' disbursements.
GEORGIA	Second injury or disease which merges with prior permanent physical impairment and results in greater disability than from second injury alone.	Disability caused by second injury for first 104 weeks.	Employer reimbursed for 50% of medical expenses in excess of \$5,000 up to \$10,000, and 100% of medical expenses in excess of \$10,000, plus income benefits beyond 104 weeks.	Assessments on carriers and self-insurers proportionate to 175% of disbursements from fund by annual compensation benefits paid. In no-dependency death cases, 1/2 of benefits payable or \$10,000, whichever is less.	Employer must have prior knowledge of impairment. Assessments may be reduced or suspended when no funds are needed.
GUAM	Second injury which combined with a previous disability causes permanent disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent total disability.	State fund (appropriation).	
HAWAII	Second injury which added to pre-existing disabilities results in greater permanent disability, permanent total disability, or death.	Disability benefits for first 104 weeks.	Benefits beyond first 104 weeks.	\$8,775 in no-dependency death cases, and unpaid balance of compensation due in permanent total and permanent partial disability cases, if no dependents. 1-4% premium tax on insurers and self-insurers.	Premium tax suspended when balance exceeds \$200,000; resumed when below \$100,000.
IDAHO	Second injury which combined with prior permanent physical impairment results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent disability.	Amount equal to 4% of award for scheduled or unscheduled injuries, and \$5,000 in no-dependency death cases.	When fund exceeds \$500,000 excise may be suspended or reduced.
ILLINOIS	Second injury involving loss of or loss of use of major members or eye which added to pre-existing loss of member results in permanent total disability.	Disability caused by second injury.*	Difference between compensation payable for second injury and permanent disability.	Semi-yearly employer payment of 125% of compensation payments.	When fund reaches \$500,000 amount payable into fund reduced by 1/2. When fund reaches \$600,000, payments cease. When fund reduced to \$400,000, payment resumed.
INDIANA	Second injury involving loss of or loss of use of hand, arm, foot, leg, or eye which added to pre-existing loss of or loss of use of member results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent total disability.	1% of compensation paid by insurers and self-insurers during preceding calendar year.	Payment suspended when fund reaches \$400,000.

Alaska *Pre-existing disability must support 25% earnings loss or 90 weeks of benefits.

Calif. *Second injury must account for 35% unless prior disability involved a major member and second injury was to opposite and corresponding member and accounts for at least 5%.

Ill. *Employer is liable in full if second injury is permanent and total without relation to prior injury.

CHART XII □ SECOND-INJURY FUNDS □ January 1, 1983 (continued)

JURISDICTION	INJURIES COVERED	PAYABLE BY EMPLOYER	PAYABLE BY FUND	SOURCE OF FUND	SPECIAL PROVISIONS
IOWA	Second injury involving loss or loss of use of member or eye which added to pre-existing loss of use of member results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent disability, less value of previous loss of member or organ.	\$2,000 in death cases; any contributions by the United States; payments due but not paid to non-resident alien dependents, and sums recovered from third parties.	Payments suspended when fund reaches \$500,000, resumed when below \$300,000.
KANSAS	Second injury related to 17 types of handicap as listed in statute—any physical or mental impairment.	Difference between fund payment and maximum award.	Compensation to the extent pre-existing handicap contributed to second injury.	\$18,500 from employer in no-dependency death cases, and pro-rata annual assessment upon carriers and self-insurers based on losses.	Legislature oversees adequacy of workers' compensation fund, administered by Insurance Commissioner. Employer must prove knowledge of prior disability. ¹
KENTUCKY	Second injury or disease which added to prior disability or condition results in permanent disability greater than from second injury alone.	Disability caused by second injury or dormant condition.	Difference between compensation payable for second injury and greater disability, less amount paid for prior injury.	3.4% premium tax on carriers and self-insurers.	Additional assessments authorized if Commissioner deems necessary.
LOUISIANA	Second injury which combined with prior permanent partial disability results in disability greater than from second injury alone, or in death. ²	Disability benefits for first 104 weeks; in death cases, first 175 weeks.	Employer reimbursed for disability benefit payments after first 104 weeks; death cases after 175 weeks.	1% premium tax on carriers and self-insurers, minimum \$10.	Tax reduced when fund reaches \$1,000,000, suspended when fund exceeds 200% of disbursements, resumed when below 125% of disbursements.
MAINE	Second injury caused by accident, disease, or congenital condition, which added to pre-existing impairment results in permanent total disability.	Disability caused by second injury.	Fund reimburses employer for difference between compensation payable for second injury and permanent total disability.	In no-dependency death cases, 100 x SAWW.	
MARYLAND	Second injury which combined with a pre-existing permanent impairment due to accident, disease, or congenital condition results in a greater combined disability constituting a hindrance to employment.	Disability caused by second injury.	If permanent disability exceeds 50% of the body as a whole, employee is entitled to additional compensation for the full disability from the "Subsequent Injury Fund." Prior injury and second injury must each be compensable for at least 125 weeks.	5% of compensation paid for disability, death, or settlements.	Payments suspended when fund reaches \$1,000,000, resumed when below \$500,000.
MASSACHUSETTS	Second injury which added to pre-existing physical impairment results in substantially greater disability or death. Pre-existing disability must support 25% earnings loss or 90 weeks of benefits.	Benefits for first 104 weeks.	Employer reimbursed for half of benefits after first 104 weeks.	\$500 in no-dependency death cases, and additional \$500 in every death case; unpaid balance of scheduled awards.	Pro-rata assessment based on losses paid during preceding year by carriers and self-insureds.
MICHIGAN	Second injury involving loss of member or eye, which added to pre-existing loss of member results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent total disability.	Assessments on carriers and self-insurers proportionate to 175% of disbursements from fund to annual compensation benefits paid.	Fund is credited with any balance in excess of \$200,000. ³
MINNESOTA	Second injury that results in substantially greater disability than would have resulted from second injury alone.	Disability caused by second injury.	Employer reimbursed for disability after 52 weeks; medical after \$2,000. If second injury results in permanent partial disability, fund pays difference between compensation payable for second injury and greater disability.	Assessments on insurers and self-insurers based on statutory formula; \$5,000 in no-dependency death cases; percentage of other indemnity benefits.	Percent of award assessment fixed annually based on balance in fund, payable on March 1.
MISSISSIPPI	Second injury involving loss or loss of use of member or eye, which added to pre-existing loss or loss of use of member or eye results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent disability.	\$500 in no-dependency death cases; \$150 in dependency cases.	\$150 payments suspended when fund reaches \$35,000 and until reduced to \$20,000.
MISSOURI	Second injury resulting in permanent partial disability which compounds either a greater permanent partial or a permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and compounded disability.	20% of 3% premium tax. Payment by carriers or self-insurers of 1.2 percent of total compensation paid.	
MONTANA	Second injury which combined with prior permanent physical impairment results in death or disability.	Benefits for first 104 weeks.	Employer reimbursed after first 104 weeks.	\$1000 paid by employers, insurers, or accident fund in every death case. Carriers and self-insurers assessed 5% of losses paid in preceding year.	Division must certify unemployed worker as vocationally handicapped.
NEBRASKA	Second injury which combined with pre-existing disability causes substantially greater disability. Pre-existing disability must support 25% earnings loss or 90 weeks of benefits. ¹	Disability caused by second injury.	Difference between compensation payable for second injury and previous disability.	1% premium tax on carriers or self-insurers (\$25 minimum) payable to Workmen's Compensation Court.	Payments suspended when fund reaches \$400,000, resumed when below \$200,000.
NEVADA	Second injury which combined with any previous permanent physical disability causes substantially greater disability. ²		Compensation payable by fund.	Subsequent Injury Fund in state treasury. ³	Compensable claim considered "excess loss" in calculation of employer's experience rating. Employer must prove knowledge of prior impairment.
NEW HAMPSHIRE	Second injury which combined with any pre-existing disability results in substantially greater disability. ¹	Benefits for first 104 weeks.	Employer reimbursed after first 104 weeks.	Assessment against carriers and self-insurers proportional to compensation payments made by all carriers.	
NEW JERSEY	Second injury resulting in permanent partial disability which added to pre-existing partial disability, compensable or not, results in permanent total disability.	Disability caused by compensable injury.	Difference between compensation payable for second injury and permanent total disability.	Carriers and self-insurers assessed pro-rata for 150% of payments made from fund as it bears to total compensation paid during preceding year. Annual assessments paid quarterly.	When fund balance exceeds \$1,250,000, up to \$50,000 per year may be applied toward administration costs of Division.
NEW MEXICO	Second injury which added to pre-existing disability results in permanent disability greater than from second injury alone, or, second injury resulting in death.	Liability apportioned by judicial determination.	Liability apportioned by judicial determination.	\$1,000 in no-dependency death cases. Employer or insurer pays quarterly assessment up to 1% of compensation paid during quarter, exclusive of medical benefits and attorney's fees.	

¹In death cases it must be established that either the injury or the death would not have occurred except for such pre-existing permanent physical impairment. "Permanent physical impairment" means any permanent condition due to previous accident, disease, or congenital condition which is likely to be a hindrance to employment.

Kans. "Employer may file description of prior impairment to create presumption of prior knowledge."

La. "Permanent partial disability" means any permanent condition due to injury, disease, or congenital causes which is likely to be a hindrance to employment. Certain scheduled conditions are presumed to be permanent partial disability if employer had prior knowledge.

Mich. "Compensation to certified vocationally handicapped persons payable from fund after 104 weeks."

Nev. "Pre-existing disability must support a rating of 12% or more of the whole man based on A.M.A. guides, which is likely to be a hindrance to employment."

³Fund is composed of assessments, penalties, bonds, securities, and all other property collected by administrator, Division of Industrial Insurance Regulation.

CHART XII □ SECOND-INJURY FUNDS □ January 1, 1983 (continued)

JURISDICTION	INJURIES COVERED	PAYABLE BY EMPLOYER	PAYABLE BY FUND	SOURCE OF FUND	SPECIAL PROVISIONS
NEW YORK	Second injury involving loss or loss of use of member or eye which is added to pre-existing injury results in permanent total disability, second injury which added to pre-existing loss or partial loss of member or eye or other permanent physical impairment not resulting from a dust disease results in disability greater than from second injury alone or second injury or disease resulting in death, which is caused by pre-existing disability. ¹	Benefits for first 104 weeks	Employer reimbursed after first 104 weeks	Assessment against carriers and self-insurers proportional to compensation payments made by all carriers	Employer or insurer pays awards and medical expenses, but is reimbursed from special disability fund for benefits after first 104 weeks
NORTH CAROLINA	Second injury involving loss of member or eye which added to pre-existing injury results in permanent total disability, provided the original and increased disability were each 20% of the entire member. ²	Disability caused by second injury	Difference between compensation payable for second injury and permanent total disability	Assessments against employer or insurer for each permanent partial disability, up to \$50 for a minor member and \$200 for a major member (currently \$25 and \$100, respectively)	
NORTH DAKOTA	Second injury or aggravation of any previous injury or condition which results in further disability	Disability caused by second injury	Percent attributable to aggravation or second injury	Benefit Fund	Compensation in excess of amount chargeable to second injury is charged to general fund
OHIO	Second injury which aggravates pre-existing disease or condition (25 types of handicaps as listed by statute), resulting in death, temporary or permanent total disability, and disability compensable under a special schedule. ³	Disability attributable to injury or occupational disease sustained in employment	Amount of disability or proportion of cost of death award determined by Industrial Commission to be attributable to employee's pre-existing disability	Reserve set aside out of statutory surplus funds	In the case of a self-insuring employer, excess payments are made from the surplus fund. By rule of Commission in the case of State Fund employer, compensation in excess of amount chargeable to second injury is charged to surplus fund
OKLAHOMA	Second injury to physically impaired person which results in additional permanent disability greater than from second injury alone	Disability caused by second injury	Difference between compensation payable for second injury and compensation for combined injuries	2% of permanent disability losses by carriers, state fund, and self-insurers and 2% of awards for permanent disability by employers. ⁴	Permanent total awards are payable by the fund for 5 years or until age 65, whichever is longer
OREGON	Compensable injury which results in permanent disability that may be an obstacle to employment	Claims cost is charged against the employer for experience rating purposes only. ⁵	Board provides job placement aid, including work station modification, plus a wage subsidy and increased cost protection	Employer retains from each worker 2c per day, payable into Second Injury Reserve Fund	\$20,000 limit for increased cost protection; \$10,000 limit for wage subsidy and work station modification. Handicapped Workers Reserve established if prior condition was a handicap, financed by assessment on employers and 2-1/2c per day per employee (until July 1, 1983)
PENNSYLVANIA	Second injury involving loss or loss of use which added to pre-existing loss or loss of use of member results in permanent total disability	Scheduled benefits as a result of second injury	Remaining compensation due for total disability	Assessment against carriers and self-insurers proportional to compensation payments	Payments are made directly by the Department
PUERTO RICO	Second injury which aggravates or augments any former disability		Second injury not caused by work accident is compensated in addition to second injury. Compensation for prior job injury is deducted from compensation payable for total disability, except where combined injury results in permanent total disability, which is compensated as such	The difference between expenditures by the Industrial Commission and the Manager of the State Insurance Fund and their maximum budget allotment are placed in the Reserve Fund for catastrophes except for medical expense surpluses	
RHODE ISLAND	Second injury which merges with pre-existing work-related disability resulting in greater disability or death	Benefits for first 104 weeks	Employer reimbursed after first 104 weeks	2-3/4% tax on gross premiums collected by insurers and comparable tax on self-insurers, plus \$750 in no-dependency death cases, also certain penalties	Employer must prove knowledge of prior injury unless employee failed to disclose. Tax may be reduced when fund reaches \$2 million
SOUTH CAROLINA	Second injury which added to any previous permanent physical impairment results in substantially greater disability or death	Disability caused by second injury for first 76 weeks; compensation and medical care	Employer reimbursed for all benefits after 76 weeks, plus 50% of medical payments over \$3000 during first 76 weeks	Pro-rata assessments on carriers and self-insurers based on losses paid. In no-dependency deaths, unpaid benefits to fund	Employer must prove prior knowledge of impairment or that worker was unaware of impairment. ⁶
SOUTH DAKOTA	Second injury which added to any pre-existing disability results in additional permanent partial or total disability or death	Disability caused by second injury	Difference between compensation payable for second injury and compensation for combined injuries. In death cases fund pays compensation in excess of 312 weeks	Carriers and self-insurers assessed 1/2% of losses paid during preceding year and \$500 in no-dependency death cases	Payments suspended at \$100,000 and resumed at \$50,000
TENNESSEE	Second injury involving loss or loss of use of member or eye which added to pre-existing loss or loss of use of member results in permanent total disability	Disability caused by second injury	Difference between compensation payable for second injury and permanent total disability	\$150 in death cases and \$15 in each case of permanent partial disability	
TEXAS	Second injury which added to pre-existing injury results in permanent total disability	Disability caused by second injury	Difference between compensation payable for second injury and permanent total disability	Maximum \$65,520 ⁷ payable into fund in each no-dependency death case	Payments suspended at \$750,000 and resumed at \$300,000
UTAH	Second injury which combined with a previous permanent incapacity due to accident, disease, or congenital condition results in a substantially greater disability	Disability caused by second injury	Difference between compensation payable for second injury and compensation for combined injuries	\$18,720 in no-dependency death cases, less compensation paid, plus 3% premium tax on insurers and self-insurers. Fines from uninsured employers	Medical panel determines percentage of disability attributable to prior disability and second injury. Fund is also used to extend the period of compensation above regular award for certain claimants who are permanently and totally disabled and who cannot be rehabilitated
VERMONT	Second injury involving loss of use of member or eye which added to previous disability results in permanent total disability	Disability caused by second injury	Difference between compensation payable for second injury and permanent total disability	\$500 in no-dependency death cases	
VIRGIN ISLANDS	Second injury which combined with prior impairment results in death or compensable disability greater than from second injury alone	None. Employer's experience rating affected by disability payments after 104 weeks	All benefits	Premiums paid by employers by classification and experience, plus fines, penalties, and interest	Employer must have prior knowledge of disability

N.C. *Epilepsy is considered a prior permanent disability.

Ohio *Does not apply to compensation for temporary partial or percentage of permanent partial disability.

Okl. *Payable quarterly, not later than the 15th day of the month following, total tax is 4% (2% of awards for permanent disability, total or partial). Tax is based on award and is payable regardless of whether award is paid. State political subdivisions pay 2% of permanent disability compensation paid in preceding year.

Ore. *Employer with second injury contract pays base costs.

S.C. *Permanent physical impairment means any permanent condition due to injury, disease, or congenital causes which is likely to be a hindrance to employment. Certain scheduled conditions are presumed to be permanent physical impairment if employer had prior knowledge.

Tex. *380 times maximum weekly benefit.

CHART XII ☐ SECOND-INJURY FUNDS ☐ January 1, 1983 (continued)

JURISDICTION	INJURIES COVERED	PAYABLE BY EMPLOYER	PAYABLE BY FUND	SOURCE OF FUND	SPECIAL PROVISIONS
VIRGINIA	Second injury involving 20% loss or loss of use of member or eye which added to pre-existing disability of 20% or more results in total or partial disability.	Disability caused by second injury.	Employer reimbursed for compensation after all other compensation has expired plus up to \$7,500 each for medical and vocational rehabilitation expenses.	1.4% premium tax on carriers and self-insurers.	Payments suspended at \$250,000 and resumed at \$125,000.
WASHINGTON	Second injury or disease which added to pre-existing injury or disease results in permanent total disability or death.	Disability caused by second injury.	Difference between charge assessed against employer at time of second injury and total pension reserve.	Transfer of not more than cost from accident fund to second injury account. Self-insurers pay proportional to claims against self-insurers.	
WEST VIRGINIA	Second injury which combined with pre-existing impairment results in permanent total disability.	Disability caused by second injury.			Compensation in excess of amount chargeable to second injury is paid out of second injury fund at the Commissioner's disposal.
WISCONSIN	Second injury with permanent disability for 200 weeks or more with a pre-existing disability of an equal degree or greater.	Disability caused by second injury.	Disability caused by lesser of 2 injuries. If the combined disabilities result in permanent total disability, fund pays the difference between compensation payable for second injury and permanent total disability.	\$4,000 for loss of a hand, arm, foot, leg, or eye. In no wholly dependent or partially dependent cases, 80% of death benefit otherwise available.	
WYOMING	Second injury in extra-hazardous employment which added to pre-existing loss or loss of use of member or eye results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent disability.	\$500 in no-dependency death cases.	Any payments for previous partial disability or payments which would have been made if the previous injury had occurred in an extra-hazardous employment are deducted from the award.
LONGSHORE ACT	Second injury resulting in permanent partial disability which added to pre-existing injury results in permanent total disability.	Disability caused by second injury for first 104 weeks.	Difference between compensation payable for second injury and permanent total disability.	\$5,000 in no-dependency death cases or unpaid awards. Pro-rata assessments based on losses paid. Fines and penalties.	50% of fund is for second injuries and 50% for rehabilitation. Supplementary benefits for total disability or death payable by fund.
ALBERTA	No specific statutory provision				
BRITISH COLUMBIA	Injury or disease superimposed on existing disability.	No	Proportion of disability attributable to second injury.	Accident Fund	
MANITOBA	All enhanced disabilities because of similar or other disabilities.	No	Yes	Accident Fund	Compensation must be at least half the benefit payable if the entire disability were caused by the pre-existing condition. Condition includes neurosis or psychoneurosis.
NEW BRUNSWICK	Second injury coupled with other prior injuries or disabilities.	No	Yes	Reserve Fund	
NEWFOUNDLAND	All enhanced disabilities because of similar or other disabilities.	No	Difference between compensation payable for second injury and final result of disablement.	Reserve Fund	
NOVA SCOTIA	Injury that aggravates, activates, or accelerates pre-existing disease or condition, or injury that results in injury or disease caused partly by employment and partly by other causes.	No	Disability attributable to second injury.	Accident Fund	Board has authority to establish second injury fund.
NORTHWEST TERRITORIES	All disabilities due to pre-existing disease, condition or disability.	No	Difference between second injury and total cost.	Contingency reserve	
ONTARIO	All enhanced disabilities due to pre-existing diseases, condition, or disability.	No	Difference between second injury and total cost.	Accident Fund	Not restricted to permanent disability cases.
PRINCE EDWARD ISLAND	No specific statutory provision				
QUEBEC	Enhanced disability because of previous infirmity.				Commission has authority to establish second injury fund.
SASKATCHEWAN	All enhanced disabilities due to pre-existing disease, condition, or disability.	No	Difference between second injury and total cost.	Injury Fund	
YUKON TERRITORY	All enhanced disabilities because of similar or other disabilities.	No	Yes	Compensation Reserve Fund. Assessment on employers' annual payroll.	
CANADIAN MERCHANT SEAMEN'S ACT	No specific statutory provision				

CHART XIII

ADMINISTRATION EXPENSES, WORKERS' COMPENSATION DEPARTMENTS

January 1, 1983

JURISDICTION	SYSTEM PROVIDED FOR	FUND OR APPROPRIATION	ASSESSMENT PROVISIONS		OTHER INCOME
			AGAINST WHOM	AMOUNT	
ALABAMA	Private insurance	General appropriation; court administration			
ALASKA	Private insurance	General appropriation			
AMERICAN SAMOA	Private insurance	Special fund			
ARIZONA	Competitive fund	Administrative fund	Carriers, self-insurers, and state fund	3% of premiums, minimum \$250	
ARKANSAS	Private insurance	Special fund	Carriers and self-insurers	1-1.2% of premiums maximum*	\$500 first year for carriers, \$100 first year for self-insurance.
CALIFORNIA	Competitive fund	General appropriation			
COLORADO	Competitive fund	General appropriation			
CONNECTICUT	Private insurance	General appropriation	Carriers and self-insurers	Pro-rata assessment necessary to cover expenses.	
DISTRICT OF COLUMBIA	Private insurance*	Special fund*	Carriers and self-insurers	Pro-rated on basis of total compensation paid	Fines and penalties, and \$5,000 in no-dependency death cases.
DELAWARE	Private insurance	General appropriation	Carriers and self-insurers	2% of premiums	
FLORIDA	Private insurance	Special fund	Carriers and self-insurers	Maximum 4% of net earned premiums	
GEORGIA	Private insurance	General appropriation	Carriers and self-insurers	Prorated	
GUAM	Private insurance	General appropriation			
HAWAII	Private insurance	General appropriation			
IDAHO	Competitive fund	Industrial Administration Fund	Carriers, self-insurers, and state fund	1.3% of premiums	Fees for records
ILLINOIS	Private insurance	General appropriation			
INDIANA	Private insurance	General appropriation			
IOWA	Private insurance	General appropriation			
KANSAS	Private insurance	Special fund		(-)	
KENTUCKY	Private insurance	Maintenance Fund	Carriers and self-insurers	2% of premiums	
LOUISIANA	Private insurance	General appropriation; court administration			
MAINE	Private insurance	General appropriation			
MARYLAND	Competitive fund	General appropriation	Carriers, self-insurers, and state fund	Prorated	
MASSACHUSETTS	Private insurance	General appropriation			
MICHIGAN	Competitive fund	General appropriation		(-)	
MINNESOTA	Private insurance	General appropriation			
MISSISSIPPI	Private insurance	Special fund	Carriers and self-insurers	Prorated on basis of total compensation paid	Civil penalties
MISSOURI	Private insurance	General appropriation	Carriers and self-insurers	3% of premiums	Fees for records, etc.
MONTANA	Competitive fund	Industrial Administration Fund; appropriation and fees	Carriers, self-insurers, and state fund	Prorated on prior year's costs, \$200 minimum	Graduated inspection fee, fees for records, etc. and fines
NEBRASKA	Private insurance	General appropriation	Carriers	2% for foreign, 6% for domestic, 2% for self-insurers*	
NEVADA	Exclusive fund	Special fund	Employers and self-insurers		
NEW HAMPSHIRE	Private insurance	Administration Fund; court administration	Carriers and self-insurers	Prorated on basis of total compensation paid; \$100 minimum	Civil penalties
NEW JERSEY	Private insurance	General appropriation	Carriers	1.4% of premiums,*	Maximum of \$50,000 excess from 2nd Injury Fund may be paid over to W. C. administration
NEW MEXICO	Private insurance	General appropriation; court administration			
NEW YORK	Competitive fund	Assessment	Carriers, self-insurers, and state fund	Total amount prorated on basis of compensation payments	\$100 assessment or 10% of award, whichever is greater, where an appeal is withdrawn. \$25 for unnecessary adjournment requested by carrier. \$25 from each employer or carrier requesting review where review affirms decision. Fines imposed for non-insurance and discrimination against claimant.
NORTH CAROLINA	Private insurance	General appropriation	Carriers and self-insurers	On gross premiums at rate in revenue act	
NORTH DAKOTA	Exclusive fund	Appropriation	State fund	Budget submitted biennially to legislature	Interest

Ark. *May be increased or reduced by Commission.

D.C. *Exclusive fund for D.C. government workers, financed from D.C. and/or federal appropriation.

Kans. *System of assessments, similar to Mississippi.

Mich. *Annual assessment of 3.4% of compensation levied on insurers and self-insurers of compensation paid to be used for the safety education and training fund.

Neb. *Not specially for workers' compensation administration.

N.J. *To administer insurance provisions.

CHART XIII ☐ **ADMINISTRATION EXPENSES, WORKERS' COMPENSATION DEPARTMENTS** ☐ **Jan. 1, 1983 (cont.)**

JURISDICTION	SYSTEM PROVIDED FOR	FUND OR APPROPRIATION	ASSESSMENT PROVISIONS		OTHER INCOME
			AGAINST WHOM	AMOUNT	
OHIO	Exclusive fund and self-insurance	State fund	All employers, including self-insurers, counties and taxing districts, and state instrumentalities	13.4% of payroll for State Fund employers and 4.6% for self-insurers	
OKLAHOMA	Competitive fund	Administrative Fund, State Insurance Fund, and general appropriations	Carriers and self-insurers	2% premium tax, and 4% tax on self-insurers based on compensation paid for permanent disability or death *	
OREGON	Competitive fund	Administrative fund	Employers	Apportioned—percentage of premium needed to pay administration expenses	Fines, penalties, and interest
PENNSYLVANIA	Competitive fund	Administration Fund	Carriers, self-insurers, and state fund	Prorated on basis of total compensation paid	
PUERTO RICO	Exclusive fund	State fund and appropriations	State fund	Maximum 18% of total premium receipts	
RHODE ISLAND	Private insurance	General appropriation			
SOUTH CAROLINA	Private insurance	General appropriation	Carriers and self-insurers	4-12 % of premiums	
SOUTH DAKOTA	Private insurance	General appropriation			
TENNESSEE	Private insurance	General appropriation, court administration	Carriers and self-insurers	4% of premiums	
TEXAS	Private insurance	General appropriation	Carriers and self-insurers	3.5 of 1% * Additional 45-100 of 1% gross W.C. premiums paid to Board for administration purposes	
UTAH	Competitive fund	General appropriation	Carriers and state fund	1.4% of gross premiums	3-1.4% of premium tax; 3% to Second Injury Fund, 1.4% for administration
VERMONT	Private insurance	General appropriation			
VIRGIN ISLANDS	Exclusive fund	Territorial fund	Territorial fund		Fines, penalties, and interest
VIRGINIA	Private insurance	Special fund	Carriers and self-insurers	2.5% of premiums	
WASHINGTON	Exclusive fund and self-insurance	State fund	State fund and self-insurers	Determined by Director	
WEST VIRGINIA	Exclusive fund and self-insurance	General appropriation and Workmen's Compensation Fund	Self-insurers		
WISCONSIN	Private insurance	Special fund	Carriers and self-insurers	Pro rata on indemnity paid on closed cases during prior year	
WYOMING	Exclusive fund	Industrial Accident Fund	State fund		
F.E.C.A.	Exclusive fund	Appropriation authorized from U.S. Treasury			
LONGSHORE ACT	Private insurance	Appropriation authorized from U.S. Treasury			
ALBERTA	Exclusive fund	Accident Fund	All employers under the act	Determined by Board	Penalties for violations
BRITISH COLUMBIA	Exclusive fund	Accident Fund	All enumerated employers	Determined by Board	
MANITOBA	Exclusive fund	Accident Fund	All enumerated employers	Determined by Board	Such sum out of consolidated fund as Lt. Gov. in-Council may direct
NEW BRUNSWICK	Exclusive fund	Accident Fund	All enumerated employers	Determined by Board	Penalties for violations
NEWFOUNDLAND	Exclusive fund for Part I, individual liability, Part II	Accident Fund	All enumerated employers	Determined by Board	Fines for violations
NORTHWEST TERRITORIES	Exclusive fund	Workers' Compensation Fund	All employers	Determined by Board	
NOVA SCOTIA	Exclusive fund	Accident Fund	All enumerated employers	Determined by Board	
ONTARIO	Exclusive fund for Schedule I employers, individual liability for Schedule II employers	Accident Fund for Schedule I employers; Deposit with Board for Schedule II employers	All employers in Schedule I; Administrative costs only for Schedule II employers	Determined by Board	
PRINCE EDWARD ISLAND	Exclusive fund for Part I, individual liability, Part II	Accident Fund	All enumerated employers	Determined by Board	
QUEBEC	Exclusive fund, individual liability for Annex B employers	Accident Fund	All employers, Administrative costs only for Annex B employers	Determined by Board	Annual sum not exceeding \$100,000 may be paid out of consolidated revenue fund
SASKATCHEWAN	Exclusive fund	Injury Fund	All employers	Determined by Board	Penalties for violations
YUKON TERRITORY	Exclusive fund	Accident Fund	All employers	Percent of payroll determined by Commissioner	
CANADIAN MERCHANT SEAMEN'S ACT	Private insurance	Cost of administration apportioned among employers	All employers of merchant seamen	Determined by Board	

Okla. *Effective July 1, 1983, premium tax is 1% and tax on self-insurers is 2% of compensation.

Tex. *To administer insurance provisions.

CHART XIV

APPEAL PROVISIONS

January 1, 1983

JURISDICTION	ADMINISTRATION	TIME FOR APPEAL	TO WHAT COURT	PROCESS AND PROCEDURE	QUESTIONS REVIEWED		BASIS FOR REVIEW ¹	JURY TRIAL
					LAW ONLY	LAW AND FACT		
ALABAMA	Courts	30 days	Supreme Court	Certiorari	Yes		Record	No
ALASKA	Workmen's Compensation Board	30 days	Superior Court	Injunction	Yes		Record	No
AMERICAN SAMOA	Workmen's Compensation Commission	30 days	High Court	As in civil actions	Yes		Record	No
ARIZONA	Industrial Commission	30 days	Court of Appeals/Supreme Court	Certiorari		Yes	Record	No
ARKANSAS	Workers' Compensation Commission	30 days	Court of Appeals	As in civil actions, with precedence over all other civil cases	Yes		Record	No
		No provision	Supreme Court	As in civil actions	Yes		Record	No
CALIFORNIA	Appeals Board	45 days	Supreme Court or District Court of Appeals	Writ of review	Yes		Record	No
COLORADO	Industrial Commission	20 days	District Court	Action to modify or vacate	Yes		Record	No
		No provision	Supreme Court	Writ of error	Yes		Record	No
CONNECTICUT	9 commissioners	20 days	Appellate session of Superior Court ² Supreme Court	Notice of appeal ³	Yes		Record	No
DELAWARE	Industrial Accident Board	20 days	Superior Court	As prescribed by the court		Yes	Record	No
DISTRICT OF COLUMBIA	D.C. Office of Workers Compensation	15 days	D.C. Court of Appeals	Petition	Yes		Record	No
DISTRICT OF COLUMBIA GOVT. WORKERS	Office of Workers' Compensation	90 days to a year	Superior Court	Application for review		Yes	Record	No
FLORIDA	Division of Workers' Compensation	20 days	District Court of Appeals, First District	Notice of appeal	Yes		Record	No
GEORGIA	State Board of Workers' Compensation	30 days	Superior Court	Notice of appeal	Yes		Record	No
			Court of Appeals	Discretionary authority				No
GUAM	Workers' Compensation Commission	30 days	Superior Court	Injunction proceedings	Yes			No
HAWAII	Disability Compensation Division	30 days	Supreme Court	Notice of appeal ⁴	Yes		Record	Yes, if claimed within 10 days from the date case is docketed
IDAHO	Industrial Commission	42 days	Supreme Court	Notice of appeal	Yes		Record and transcript of evidence	No
ILLINOIS	Industrial Commission	20 days	Circuit Court, or City Court in cities over 25,000 ⁵	Certiorari		Yes	Record, no additional evidence	No
		30 days	Supreme Court	Writ of error	Yes			No
INDIANA	Industrial Board	30 days	Court of Appeals	As in civil action ⁶	Yes		Assignment of errors	No
IOWA	Industrial Commissioner	30 days	District Court	Petition for judicial review	Yes		Certified transcript of documents and evidence	Only when employee has right to sue uninsured employer
		20 days	Supreme Court	As in civil cases	Yes			No
KANSAS	Division of Workers' Compensation	20 days	District Court ⁷	Notice of appeal		Yes	Transcript of evidence and proceedings	No
		30 days	Court of Appeals	Notice of appeal	Yes			No
KENTUCKY	Workers' Compensation Board	20 days	Circuit Court	Petition, summons, answer	Yes		Certified record	No
		No provision	Court of Appeals Supreme Court	As in civil actions			Certified record or scheduled portions	No
LOUISIANA	Courts	30 days ⁸	Appellate Court Supreme Court	As in civil actions As in civil actions		Yes Yes	Transcript of proceedings Certified record	No No
MAINE	Workers' Compensation Commission	20 days	Law Court	As in equity procedure ⁹	Yes		Certified record	No
MARYLAND	Workmen's Compensation Commission	30 days	County Circuit Courts or Baltimore Common Law Courts	Notice, followed by informal and summary trial	Yes, in occupational disease cases	Yes, except in occupational disease cases	Trial de novo	Yes, on demand
		No provision	Court of Special Appeals Court of Appeals	As in civil cases				
MASSACHUSETTS	Industrial Accidents Board	10 days	Superior Court	As in civil cases	Yes		Agreed statement of facts and findings and decision	No
		No provision	Supreme Judicial Court	As in civil cases	Yes			No
MICHIGAN	Workers' Compensation Appeal Board	30 days	Court of Appeals	Certiorari, mandamus, or other permissible method	Yes			No
		30 days	Supreme Court					No
MINNESOTA	Workers' Compensation Division	30 days	Workers' Compensation Court of Appeals Supreme Court	Notice of Appeal Certiorari		Yes	Certified record ¹⁰	No
MISSISSIPPI	Workmen's Compensation Commission	30 days	Circuit Court	Notice of appeal	Yes		Record	No
			Supreme Court	As in civil cases	Yes		Record	No
MISSOURI	Division of Workers' Compensation ¹¹	30 days	Appellate Court	Notice of appeal	Yes		Certified record	No
MONTANA	Division of Workers' Compensation	30 days	Supreme Court	Notice of appeal		Yes	Certified record	No
NEBRASKA	Workmen's Compensation Court ¹²	1 month	Supreme Court	Notice of appeal and bill of exceptions (under general laws)	Yes		Certified record	No
NEVADA	Department of Administration Appeals Officer	No provision	District Court		Yes		Record	No
NEW HAMPSHIRE	Commissioner of Labor	30 days	Superior Court Supreme Court	Petition for a hearing		Yes	Trial de novo	No

NOTE—Other Canadian jurisdictions do not provide for judicial appeal.

¹Generally courts may set aside an award on one of the following grounds: (1) that the Commissioner acted in excess of its powers; (2) that the award was procured by fraud; (3) that the facts found by the Commissioner did not support the award; and (4) that there was not sufficient competent evidence in the record to warrant the finding.²Board may request opinion on question of law or jurisdiction on its own motion.³Court has power to pass only upon question of law or jurisdiction of the Board.⁴Claimant may appeal commissioner's decision to Compensation Review Division (panel of 3 commissioners), then to appellate session of Superior Court.⁵Division may certify question of law on its own motion.⁶Hawaii: Appellate Board may certify questions of law to Supreme Court.⁷If defendants cannot be found in state, then in Circuit Court of county where accident occurred.⁸Board may also certify questions of law on its own motion.⁹Kansas: If court fails to appeal within 60 days, Director must request decision; if no decision is issued within 30 days after request, Director must advise Supreme Court.¹⁰La: 60 days for devolutive appeal.¹¹Maine: First level of appeal is Appellate Division. Denial of review by Law Court is final. No appeal from decree based on memorandum of agreement. Appeal does not stay payment of compensation.¹²Minn: Appeal based on error of law or fraud may be heard de novo.¹³Mo: Administrative Law Judge's award may be appealed to Industrial Commission.¹⁴Nebr: The Court is constituted the same as the boards and commissions in other states.

CHART XIV ☐ APPEAL PROVISIONS ☐ January 1, 1983 (continued)

JURISDICTION	ADMINISTRATION	TIME FOR APPEAL	TO WHAT COURT	PROCESS AND PROCEDURE	QUESTIONS REVIEWED		BASIS FOR REVIEW ¹	JURY TRIAL
					LAW ONLY	LAW AND FACT		
NEW JERSEY	Division of Workers Compensation	No provision	Appellate Division of Superior Court	Notice of appeal		Yes	Trial de novo on the record	No
NEW MEXICO	Courts	No provision	Court of Appeals Supreme Court	Writ of error or appeal or certiorari	Yes		Certified record	No
NEW YORK	Workers' Compensation Board	30 days after decision on review No provision	Appellate Division, Supreme Court, Third Department Court of Appeals	As in civil actions, with precedence over all other civil cases. Regular appeal	Yes Yes		Record	No
NORTH CAROLINA	Industrial Commission	30 days	Court of Appeals	As in civil actions ²	Yes		Record	No
NORTH DAKOTA	Workmen's Compensation Bureau	30 days No provision	District Court Supreme Court	Appeal Appeal		Yes Yes	Record Record	No
OHIO	Industrial Commission	60 days No provision	Court of Common Pleas Supreme Court	Notice of appeal and petition by claimant or employer		Yes	Trial de novo	Yes, on demand
OKLAHOMA	Workers' Compensation Court	20 days ³	Supreme Court ⁴	Petition	Yes		Certified record and specifications of error	No
OREGON	Workers' Compensation Board	30 days	Court of Appeals Supreme Court	Notice of appeal Notice of appeal		Yes	Record ⁵	No
PENNSYLVANIA	Workers' Compensation Bureau ⁶	20 days 30 days	Commonwealth Court Supreme Court	Notice of appeal As in civil actions	Yes Yes		Certified record	No
PUERTO RICO	Manager of the State Insurance Fund	30 days 15 days	Industrial Commission or a single Commissioner Supreme Court	Appeal Petition for review		Yes (-)	Record Certified record	No
RHODE ISLAND	Director of Labor and Commission	5 days 10 days	3 members of appellate commission Supreme Court	Claim of appeal Claim of appeal		Yes Yes	Certified documents and testimony	No
SOUTH CAROLINA	Industrial Commission—Judicial Division	30 days	Court of Common Pleas	As in civil actions	Yes		Record	No
SOUTH DAKOTA	Division of Labor and Management	30 days ⁷ 120 days	Circuit Court Supreme Court	Notice of appeal As in civil actions	Yes		Certified record	No
TENNESSEE	Courts	10 days No provision	Circuit Courts Supreme Court	As in civil actions Writ of error		Yes	Trial de novo	No
TEXAS	Industrial Accident Board	20 days	Court of county of injury or worker's residence	Suit to set aside decision of Board		Yes	Trial de novo	Yes
UTAH	Industrial Commission	30 days	Supreme Court	Certiorari		Yes	Certified record	No
VERMONT	Commissioner of Labor and Industry	30 days After 30 days	County Court ⁸ Supreme Court	As prescribed by Court As prescribed by Court	Yes Yes	Yes	Certified record	Yes, on demand
VIRGIN ISLANDS	Commissioner of Labor	30 days	Court of competent jurisdiction	As in civil actions	Yes		Record	No
VIRGINIA	Industrial Commission	30 days	Supreme Court	As in equity	Yes		Certified record	No
WASHINGTON	Board of Industrial Insurance Appeals	60 days 30 days	Superior Court Further appeal	Notice of Appeal As in civil actions		Yes	Trial de novo, but on testimony before the Board	Yes, on demand
WEST VIRGINIA	Compensation Commissioner	30 days ⁹	Supreme Court or Appeals	Petition		Yes	Record of proceedings	No
WISCONSIN	Labor and Industry Review Commission	30 days	Circuit Court Supreme Court	Action against Commission As from orders	Yes		Record	No
WYOMING	Courts	70 days	Supreme Court	Supreme Court and bill of exceptions		Yes	Record	No
F.E.C.A.	Division of Federal Employees Compensation, O.W.C.P.	90 days to a year	Federal Employees Compensation Board ¹⁰	Application for review		Yes	Record	No
LONGSHORE ACT	Division of Longshore and Harbor Workers' Compensation, O.W.C.P.	30 days 60 days	Benefits Review Board ¹¹ U.S. Court of Appeals	Petition Petition		Yes	Record Record	No
ALBERTA	Workers' Compensation Board	No limitation	Board	In writing		Yes	Record and written or oral testimony	No
BRITISH COLUMBIA	Ministry of Labour	90 days 90 days	Board of Review Medical Review Panel	Appeal Appeal (medical facts only)		Yes	Record and written or oral testimony Diagnosis from file and examination	No
NEW BRUNSWICK	Workers' Compensation Board	10 days	Appeal Division, Supreme Court	Under Judicature Act ¹²	Yes ³		Record	No
NEWFOUNDLAND	Workers' Compensation Board	30 days	Supreme Court	Petition ²		Yes	Trial de novo unless Court directs otherwise	No
NOVA SCOTIA	Workers' Compensation Board	90 days 30 days	Workers' Compensation Appeal Board Appeal Division, Supreme Court	Appeal Petition to judge for permission ¹³	Yes ³	Yes	De novo Record	No
NORTHWEST TERRITORIES	Workers' Compensation Board	No limitation	Board ¹⁴	Board of review		Yes	New evidence	No
ONTARIO	Workmen's Compensation Board	No limitation	Appeals Adjudicator Appeal Board	Request to Registrar of Appeals		Yes	De novo	No
PRINCE EDWARD ISLAND	Workers' Compensation Board	15 days	Supreme Court in banco	Petition to judge for permission	Yes ³		Record	No
QUEBEC	Commission	30 to 90 days	Board of Review ¹⁵	Notice of appeal		Yes	Trial de novo	No

N.Y. *Compensation is paid pending appeal; if reversed, carrier is reimbursed from Administration Fund.

N.C. *Commission may certify questions of law to Court of Appeals. Commission may order payment of portion of award not in dispute.

Okla. *Appeal to Workers' Compensation Court en banc within 10 days may be bypassed in favor of appeal to Supreme Court.

Oregon *Court may take additional evidence on disability not available at hearing.

Pa. *Decisions of referees are subject to appeal to the Workers' Compensation Appeal Board.

P.R. *On weight of expert testimony.

S. Dak. *Commission may order payment of portion of award not in dispute.

Vt. *Then to Supreme Court on exception.

W. Va. *May be extended for cause.

F.E.C.A. *There is no court appeal. Board has authority to make final decision on appeals.

Longshore *First level of appeal is to Benefits Review Board within the U.S. Department of Labor.

N.S. *Board may request opinion on question of law on its own motion.

N.W.T. *Further appeal to Board of Commissioners.

Quebec *Further appeal to Social Affairs Commission.

CHART XV DIRECTORY OF WORKERS' COMPENSATION ADMINISTRATORS January 1, 1983

ALABAMA

Workers' Compensation Division
Department of Industrial Relations
Industrial Relations Building
Montgomery, Alabama 36130
(205) 832-5040
Mr. Marcus A. Davis, Examiner

ALASKA

Workers' Compensation Division
Department of Labor
P.O. Box 1149
Juneau, Alaska 99801
(907) 465-2790
Ms. Jacquelyn McClintock, Director

Workmen's Compensation Board
Same address as Division

Mr. Jim Robison, Chairman
Mr. Thomas Chandler, Member
Mrs. Ann Pittinger, Member
Mr. William Woodliard, Member
Mr. David Richards, Member
Mr. Jan Baughman, Member
Mr. M.M. Langberg, Member

AMERICAN SAMOA

Workers' Compensation Commission
Office of the Governor
American Samoa Government
Pago, Pago, American Samoa 96799
Mr. Morris Scanlan, Chairman

ARIZONA

Industrial Commission
1601 West Jefferson
P.O. Box 19070
Phoenix, Arizona 85005
(602) 255-4661

Mr. Charles W. Pine, Chairman
Mr. G. Vernon McCracken, Vice Chairman
Mr. Duane D. Pell, Commissioner
Mr. Daniel R. Ortega, Commissioner
Mrs. Ann Day Alexander, Commissioner
Mr. Harry G. Kelley, Director

State Compensation Fund
1616 West Adams
Phoenix, Arizona 85007
Mr. William L. Finley, Manager

ARKANSAS

Workers' Compensation Commission
Justice Building
State Capitol Grounds
Little Rock, Arizona 72201
(501) 372-3930

Mr. Burl C. Rotenberry, Chairman
Mr. J. Melvin Farrar, Commissioner
Mr. Allyn C. Tatum, Commissioner

CALIFORNIA

Division of Industrial Accidents
P.O. Box 603, First Floor
San Francisco, California 94101
(415) 557-3542
Mr. Robert J. Benjamin, Administrative Director

Workers' Compensation Appeals Board
455 Golden Gate Avenue
San Francisco, California 94102
Mr. Jack Fenton, Chairman
Mr. John F. Dunlap, Commissioner
Mr. Gordon R. Gaines, Commissioner
Mr. Hubert J. Martin, Commissioner
Mr. Charles L. Swezey, Commissioner
Mr. Robert E. Burton, Commissioner
Mr. Franklin O. Grady, Commissioner

State Compensation Insurance Fund
1275 Market Street
San Francisco, California 94103
Mr. E. A. Sandberg, President

COLORADO

Division of Labor
1313 Sherman Street, Room 314
Denver, Colorado 80203
Mr. Charles J. McGrath, Director

Industrial Commission
State Services Building, 5th Floor
1525 Sherman Street
Denver, Colorado 80203
(303) 866-2446
Mr. Miguel Baca, Chairman
Mr. Richard Wise, Commissioner
Mr. Peter D. Nims, Commissioner

State Compensation Insurance Fund
950 Broadway
Denver, Colorado 80203
Mr. Glenn Adams, Manager

CONNECTICUT

Workers' Compensation Commission
295 Treadwell Street
Hamden, Connecticut 06514
(203) 789-7783

Mr. John A. Arcudi, Chairman
Mr. A. Paul Berte, Commissioner
Mr. Robin W. Waller, Commissioner
Mrs. Rhoda L. Loeb, Commissioner
Mr. Frank J. Verrilli, Commissioner
Mr. Edward F. Bradley, Commissioner
Mr. Andrew P. Denuzze, Commissioner
Mr. Gerald Kolinsky, Commissioner
Mr. Darius J. Spain, Commissioner

DELAWARE

Industrial Accident Board
State Office Building, 6th Floor
820 North French Street
Wilmington, Delaware 19801
(302) 571-2885

Mr. Thomas E. Hickman, Chairman
Mr. Irving H. Garton, Member
Mr. Warren T. Foraker, Member
Mr. Ellsworth Jackson, Member
Mr. Edward T. Campbell, Member
Mrs. Kathryn D. Ribynski, Administrator

DISTRICT OF COLUMBIA

Department of Employment Services
Office of Workers' Compensation
P.O. Box 56098
Washington, D.C. 20011
(202) 576-7088
Mr. Bruce M. Eanet, Associate Director

FLORIDA

Division of Workers' Compensation
Department of Labor and Employment Security
1321 Executive Center Drive-East
Tallahassee, Florida 32301
(904) 488-2548
Mr. J. Baxter Swing, Director

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Board of Workers' Compensation
1000 Omni International
10th Floor
Atlanta, Georgia 30335
(404) 656-3875

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Mr. Don L. Knowles, Director
Mr. James W. Paris, Director

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Director of Labor—ex officio
Department of Labor
Government of Guam
P.O. Box 23548
G.M.F., Guam 96921-0318
Mr. Joaquin A. Acalfe

HAWAII

Disability Compensation Division
Department of Labor and Industrial Relations
830 Punchbowl Street
Honolulu, Hawaii 96813
(808) 548-4131

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Mr. Oriando K. Watanabe, Administrator

Labor and Industrial Relations Appeals Board
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Room 400
Honolulu, Hawaii 96813

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Boise, Idaho 83704
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Chicago, Illinois 60601
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Indianapolis, Indiana 46204
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Industrial Commissioner's Office
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Des Moines, Iowa 50319
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Department of Human Resources
6th Floor
535 Kansas Avenue
Topeka, Kansas 66603
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Frankfort, Kentucky 40601
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Baton Rouge, Louisiana 70806
(504) 925-4227
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Workers' Compensation Commission
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Augusta, Maine 04333
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Ms. Carmel J. Snow, Commissioner
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State Accident Fund
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Towson, Maryland 21204
Mr. Donald Potter, Superintendent

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Industrial Accidents Board
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100 Cambridge Street
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Bureau of Workers' Disability Compensation
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Lansing, Michigan 48909
(517) 373-3480

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Mr. John P. Miron, Chief Deputy

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309 North Washington Square
Leonard Plaza Building
Lansing, Michigan 48909

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Lansing, Michigan 48914
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444 Lafayette Road
St. Paul, Minnesota 55101
(612) 296-2432
Mr. Steve Keefe, Commissioner
Mr. Mahlon F. Hanson, Assistant Commissioner

Workers' Compensation Court of Appeals
Second Floor
MEA Building
55 Sherburne Avenue
St. Paul, Minnesota 55103
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Hon. Raymond O. Adel, Administrative Judge
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Workers' Compensation Commission
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P.O. Box 5300
Jackson, Mississippi 39216
(601) 987-4200

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Division of Workers' Compensation
Department of Labor and Industrial Relations
P.O. Box 58
Jefferson City, Missouri 65102
(314) 751-4231

Mr. Richard R. Rousselot, Director

Labor and Industrial Relations Commission
1904 Missouri Boulevard
P.O. Box 599
Jefferson City, Missouri 65102
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Mr. William F. Ringer, Member

CHART XV □ DIRECTORY OF WORKERS' COMPENSATION ADMINISTRATORS □ January 1, 1983 (continued)

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Division of Workers' Compensation
815 Front Street
Helena, Montana 59604
(406) 449-2047
Mr. Gary L. Blewett, Administrator

Workers' Compensation Court
1422 Cedar-Airport Way
P.O. Box 4127
Helena, Montana 59601
Judge Timothy W. Reardon

State Compensation Insurance Fund
Same address as Division
Mr. A.G. Pilen, Bureau Chief

NEBRASKA

Workers' Compensation Court
State House, 12th Floor
Lincoln, Nebraska 68509
(402) 471-2568

Hon. Ben Novicoff, Presiding Judge
Hon. Paul E. LeClair, Judge
Hon. Mark A. Buchholz, Judge
Hon. James P. Monen, Judge
Hon. Theodore W. Vrana, Judge
Mrs. Yvonne Leung, Administrator

NEVADA

State Industrial Insurance System
515 East Musser Street
Carson City, Nevada 89714
(702) 885-5284
Mr. Laury M. Lewis, General Manager

Department of Industrial Relations
1390 South Curry Street
Carson City, Nevada 89710
(702) 885-3032
Mr. Bill DuBois, Director

NEW HAMPSHIRE

Department of Labor
19 Pillsbury Street
Concord, New Hampshire 03301
(603) 271-3171
Dennis E. Murphy, Jr., Commissioner

NEW JERSEY

Division of Workers' Compensation
Department of Labor and Industry
P.O. Box CN 381
John Fitch Plaza
Trenton, New Jersey 08625
(609) 292-2414
Hon. A.J. Napier, Chief Judge and Acting Director

NEW MEXICO

Labor and Industrial Commission
509 Camino De Los Marquez
Suite 2
Santa Fe, New Mexico 87501
(505) 827-9884
Mr. R.C. Brooks, Labor Commissioner

Workers' Compensation Division
Same address as Commission
(505) 827-9876
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New York, New York 10007
Mr. Arnold Kideckel, Executive Director

NORTH CAROLINA

Industrial Commission
Dobbs Building
430 North Salisbury Street
Raleigh, North Carolina 27611
(919) 733-4820
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Mr. Coy Vance, Commissioner
Mr. Charles Clay, Commissioner

NORTH DAKOTA

Workers' Compensation Bureau
Russell Building
Highway 83 North
Bismarck, North Dakota 58505
(701) 224-2700

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Mr. Denis J. Limke, Commissioner

Workers' Compensation Fund
Same address as Bureau

OHIO

Bureau of Workers' Compensation
246 North High Street
Columbus, Ohio 43215
(614) 466-2950
Mr. Raymond A. Connor, Administrator

Industrial Commission
Same address as Bureau
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Mr. Stephen Hatten, Vice Chairman
Mr. Leonard T. Lancaster, Member

State Insurance Fund
Same address as Bureau

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Oklahoma Workers' Compensation Court
Jim Thorpe Building
2101 North Lincoln Boulevard
Oklahoma City, Oklahoma 73105
(405) 521-8025

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Hon. Charles L. Cashion, Judge
Hon. G. Dan Rambo, Judge
Hon. Victor R. Seagle, Judge
Hon. Bill V. Cross, Judge
Hon. Dick Lynn, Judge
Hon. Mary E. Cox, Judge
Hon. Clint G. Livingston, Judge
Mr. Jacques J. Jeffries, Administrator

State Insurance Fund
5th and Walnut
Oklahoma City, Oklahoma 73105
Mr. David Gillogly, Manager

OREGON

Workers' Compensation Department
Labor and Industries Building
Salem, Oregon 97310
(503) 378-3304

Mr. Roy G. Green, Director

Workers' Compensation Board
480 Church Street
Salem, Oregon 97310

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Mr. George E. Lewis, Member
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SAIF Corporation
400 High Street, S.E.
Salem, Oregon 97312
Mr. Charles B. Gill, Jr., General Manager

PENNSYLVANIA

Bureau of Workers' Compensation
Department of Labor and Industry
3607 Derry Street
Harrisburg, Pennsylvania 17111
(717) 783-5721

Mr. Bruce Hockman, Director

Workers' Compensation Appeal Board
2601 Herr Street
3rd Floor
Harrisburg, Pennsylvania 17103
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Mr. Anthony R. Cognetti, Commissioner
Mr. William R. Hagner, Commissioner

State Workers' Insurance Fund
100 Lackawanna Avenue
Scranton, Pennsylvania 18503
Mr. Wilbert Scheuer, Acting Manager

PUERTO RICO

Industrial Commissioner's Office
G.P.O. Box 4466
San Juan, Puerto Rico 00936
(809) 783-4455
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Providence, Rhode Island 02903
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Industrial Commission
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1800 St. Julian Place
Columbia, South Carolina 29204
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Mr. Paul M. Macmillan, Jr., Commissioner
Mr. James J. Reid, Commissioner
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Mr. Holmes C. Dreher, Commissioner
Mr. Frederick Zeigler, Commissioner
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Mr. Samuel E. Kirven, Administrative Director

SOUTH DAKOTA

Division of Labor and Management
Department of Labor
Kneip Building, Second Floor
700 North Illinois Street
Pierre, South Dakota 57501-2277
(605) 773-3681
Mr. Peter de Hueck, Director

TENNESSEE

Workers' Compensation Division
Department of Labor
501 Union Building
Second Floor
Nashville, Tennessee 37219
(615) 741-2395
Mrs. Sue Ann Head, Director

TEXAS

Industrial Accident Board
200 East Riverside Drive, First Floor
Austin, Texas 78704
(512) 475-2251
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Mr. Bobby J. Barnes, Commissioner
Mr. Truman F. Graham, Commissioner
Mr. William Treacy, Executive Director

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Salt Lake City, Utah 84110-5800
(801) 530-6800
Mr. Walter T. Axelgard, Chairman
Mr. Stephen M. Hadley, Commissioner
Mr. Milton E. Saathoff, Commissioner

State Insurance Fund
Same address as Commission
Mr. Dale Williams, Manager

VERMONT

Department of Labor and Industry
Montpelier, Vermont 05602
(802) 828-2286
Mr. Jeffrey Amestoy, Commissioner

VIRGIN ISLANDS

Department of Labor
P.O. Box 890
Christiansted, St. Croix, Virgin Islands 00801
(809) 773-6200
Mr. Heinrich Nielsen, Deputy Commissioner

VIRGINIA

Industrial Commission
Blanton Building
P.O. Box 1794
Richmond, Virginia 23214
(804) 786-3644
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Mr. Robert P. Joyner, Commissioner
Mr. Thomas M. Miller, Commissioner

WASHINGTON

Department of Labor and Industries
General Administration Building
AX-31
Olympia, Washington 98504
(206) 753-6308
Mr. Sam Kinville, Director

Board of Industrial Insurance Appeals
410 West 5th Street
Capitol Center Building
Olympia, Washington 98504
Mr. Michael L. Hall, Chairman
Mr. Frank Fennerty, Jr., Member
Mr. Phillip T. Bork, Member

Industrial Insurance Division (State Fund)
Same address as Department
Mr. Richard Slunaker, Supervisor

WEST VIRGINIA

Workers' Compensation Commissioner's Office
601 Morris Street
Charleston, West Virginia 25301
(304) 348-2580
Ms. Gretchen O. Lewis, Commissioner
Workers' Compensation Appeal Board
112 California Avenue
Room 116
Charleston, West Virginia 25305
Mr. John Hankins, Chairman
Mr. Louis J. John, Member
Mrs. R. Sue Core, Member

Workers' Compensation Fund
Same address as Commissioner's Office

WISCONSIN

Workers' Compensation Division
Department of Industry, Labor, and Human Relations
P.O. Box 7901
Room 152
201 East Washington Avenue
Madison, Wisconsin 53707
(608) 266-1340
Ms. Carol Lobes, Administrator
Labor and Industry Review Commission
P.O. Box 8126
Madison, Wisconsin 53708
Mr. David A. Pearson, Chairman

WYOMING

Workers' Compensation Division
State Treasurer's Office
2305 Carey Avenue
Cheyenne, Wyoming 82002
(307) 777-7441
Mr. Lee Wittler, Director
Industrial Accident Fund
Same address as Division

UNITED STATES

Department of Labor
Employment Standards Administration
Washington, D.C. 20210
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Office of Workers' Compensation Programs
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Mr. William C. Jacobs, Director

Division of Coal Mine Workers' Compensation
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Mr. James R. Yocom, Associate Director
Division of Federal Employees' Compensation
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Mr. John D. McLellan, Associate Director

Division of Longshore and Harbor Workers' Compensation
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Office of State Liaison and Legislative Analysis
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Division of State Workers' Compensation Programs
(202) 523-7391
Mr. Glenn A. Whittington, Director

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Suite 757
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Washington, D.C. 20036
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Room 300
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Edmonton, Alberta T5J 2S5
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Mr. J.R. Thomson, Executive Director-Finance

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Mr. Glenn Hall, Commissioner
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Workers' Compensation Board
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Station B
St. John's, Newfoundland A1A 3B8
(709) 754-2940

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Halifax, Nova Scotia B3J 2Y2
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Mr. Burt Coultis, Vice Chairman
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P.O. Box 3311
Halifax, Nova Scotia B3J 3J1

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Mr. Thomas A. McEwan, Commissioner-Appeals
Mr. William R. Kerr, Senior Executive Director
Mr. Alex Joma, Secretary

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Mr. Raymond Livingstone, Member
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Commission de la Sante et de la Securite du Travail
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Quebec, Quebec G1K 7E2
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Mr. Lionel Bernier, Vice President
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Mr. Gilles Neron, Vice President

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Regina, Saskatchewan S4P 2L8
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Workers' Compensation Board
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Mr. Charles Friday, Member
Miss Dorothy Wasylynychuk, Executive Director

CANADA

Labour Canada
Occupational Safety and Health Branch
Injury Compensation Division
Ottawa, Ontario K1A 0J3
(613) 997-2281
Mr. J.F. Ellsworth, Chief

Merchant Seamen Compensation Board
Labour Canada
Ottawa, Ontario K1A 0J2
Mr. C.D. Harper, Chairman
Capt. J.G. Daniels, Vice Chairman
Mr. F. Bodie, Member
Mr. J.F. Ellsworth, Secretary

ABBREVIATIONS AND COMPUTATIONS IN CHARTS

ABBREVIATIONS

AWW	—	Worker's average weekly wage
C.M.S.C.A.	—	Canadian Merchants Seamen's Compensation Act
F.E.C.A.	—	Federal Employees' Compensation Act
O.W.C.P.	—	Office of Workers' Compensation Programs, U.S. Department of Labor
NAWW	—	National average weekly wage
PP	—	Permanent partial disability
PT	—	Permanent total disability
SAMW	—	Statewide average monthly wage
SAWW	—	Statewide average weekly wage
TP	—	Temporary partial disability
TT	—	Temporary total disability

COMPUTATIONS—MONTHLY TO WEEKLY

All benefits payable other than on a weekly basis have been converted to an equivalent weekly rate. There are several methods of conversion in use, which may cause slight differences in result. This *Analysis* attempts to follow the practice of the jurisdiction wherever possible.

1. A method widely used in Canada is to multiply the monthly benefit by 12, divide by 365, and multiply the result by 7. Example for a monthly benefit of \$750:

$$\frac{750 \times 12 \times 7}{365} = \$172.60$$

2. A second method is to multiply the monthly benefit by 12 and divide by 52. Example:

$$\frac{750 \times 12}{52} = \$173.08$$

3. The third method is to divide the monthly benefit by 4.3 or a similar figure because the average month contains 4.33 weeks. Example:

$$\frac{750}{4.3} = \$174.42$$

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